



UNIVERSITY  
OF FLORIDA  
LIBRARIES



SOLD BY  
THOMAS BAKER,  
Bookseller,  
72, NEWMAN STREET,  
LONDON. W






4000 S/

si/  
SL/

4ms

25. —

THE HISTORY  
OF  
CIVILISATION IN SCOTLAND.



Digitized by the Internet Archive  
in 2017 with funding from  
University of Florida, George A. Smathers Libraries

# THE HISTORY

OF

# CIVILISATION IN SCOTLAND.

BY

JOHN MACKINTOSH, LL.D.

*Author of "The Story of Scotland," "The Revolution of 1688 and Viscount Dundee,"  
"The Highland Land Question Historically Considered," Etc.*

---

*A NEW EDITION.*

PARTLY REWRITTEN, AND CAREFULLY REVISED THROUGHOUT.

---

Volume First.

ALEXANDER GARDNER,  
Publisher to Her Majesty the Queen,  
PAISLEY, AND 26 PATERNOSTER SQUARE, LONDON.

---

1892



## P R E F A C E.

IN recent years the study of the human race has been prosecuted in many directions, and the range of the historic view has been much extended. Researches have been made in the departments of anthropology, ethnology, philology, archæology, and craniology, and thus a great body of materials, more or less valuable for historical purposes, has been collected. It is the special function of the historian to discriminate and estimate the value of such materials.

Fifteen years have elapsed since the issue of the first volume of the present work. Since then there has been much investigation into prehistoric subjects, many ancient structures within the limited area to which this work is specially devoted, having been carefully examined; while, by the publication of the series of Exchequer Rolls, Burgh Records, and other important documents, the materials relating to the twelfth, thirteenth, fourteenth and fifteenth centuries, have been rendered more accessible. In preparing this volume for a new edition, I have found it necessary to recast and rewrite the whole. Two new sections have been added to the Introduction, while most of the others have been much enlarged. About one-fourth of the volume is new.

This is the first attempt to present a synthetic narrative of the condition, progress, and development of the civilisation of the people from the earliest traces of their occupation of the country down to the present day. The difficulties in the way of successfully accomplishing such a work are obvious, and I can scarcely hope that I have completely vanquished them; still, I trust that this effort will prove interesting and valuable. While the statements of ascertained facts may be implicitly relied upon, yet the more obscure prehistoric phenomena may be susceptible of different interpretations; in such cases, I have endeavoured to make the best use of such evidence as is available.

Amongst the works which have appeared on the early history of Scotland, Dr. Anderson's two volumes of the Rhind Lectures, entitled, *Scotland in Pagan Times*, are especially valuable. Sir Arthur Mitchell also has made some very important suggestions. To Mr. Alexander Macbain, an eminent Celtic scholar, and author of a work on Celtic Mythology, I am indebted for information touching the religion of the Celts in early times.

Regarding the Normans, and the introduction of Norman feudalism into Scotland, after a full examination of the evidence, I have rejected many of the conclusions of preceding historians, especially on questions relating to the land and the people.

The social state of the nation in the twelfth and thirteenth centuries has been treated at length, and many interesting points explained; while the chapters on the disputed Succession, and the War of Independence, have been much enlarged. The tenth chapter contains an exhaustive view of the social state and characteristics of the nation in the fourteenth and fifteenth centuries, the materials for which have been mainly drawn from the National Records and other original sources. The chapters on Literature, Education, and Art, have been improved and rendered more complete.

J. M.

ABERDEEN,  
February, 1892.



# CONTENTS.



## CHAPTER I.—INTRODUCTION.

### SECTION I.

#### *The Scope of the Work.*

	PAGE.
The Import and Interest of the Subject—Primary Causes of Civilisation—Influence of Climate, Soil, and Food on the development of Man—Origin of Myths.....	17-21

### SECTION II.

#### *Geographical and Physical Features of the Country.*

Position of Scotland, the Islands, and the Coasts—General Aspect of the Country.....	21-24
Mountain Ranges : Watershed, Rivers, Valleys, and Plains—Characteristics of the Central Region—Lakes—Soil : Coal and Iron District.....	24-29
Flora and Fauna—Aspects of the Country when Man arrived.....	29-31
The Influence of Climate, Food, and Geographical Features on the Organisation of Society in Early Times—General Effect of the Features of External Nature on the Mind.....	31-33

### SECTION III.

#### *Historic Interpretation. Ethnological Problem.*

Natural Order of Development—Thought preceded Language ; relation of Thought and Language.....	33-36
Interpretation of the Phenomena and Relics of the Prehistoric Ages—Discrimination and Estimation of Historic Evidence—Human Intelligence in relation to Means.....	36-37

	PAGE.
II. Supposed Cradle of the Human Race—The Question of the Original Home of the 'Aryans—The Early Races of Europe ; Fossil Races—Result of recent Research touching the Aryans....	38-43
Ethnology of Scotland—Aboriginal Race, a long-headed and short-limbed People inhabited the Island alone for a long period—Migration of the Celtic Race to Britain ; they amalgamated with the Earlier Race—Later Migrations from Gaul—Irish Ethnology—Scandinavians—Constituent Elements of the Ethnology of Scotland.....	43-47

## SECTION IV.

*The Stone Age.*

Natural Sequence of Development—Stone Weapons and Tools : Axes hammers, spear-heads, arrow-heads, knives, saws, scrapers—The Process of their Manufacture.....	47-53
Sepulchral Structures—Chambered Cairns, their External Characteristics, Retaining Walls and Horns ; Internal Structure, Entrance Passages and Chambers ; Human Remains, Bones of Animals and other Phenomena in the Floors of the Chambers—The Long Cairns of England resemble those of Caithness : Similarity of their Contents—Sepulchral Structures of Orkney—Maeshowe—Other Groups of Chambered Cairns—Reference to Unwarranted Inferences—Condition of the Remains : An Attempt to Explain how the Interments were originally made...	53-65
Dwellings of the Stone Age People—Did they construct the "Earth-houses ?" examination of the point—Description of the "Earth-houses ;" Resemblance between them and the Chambered Cairns ; probably the "Earth-houses" were originated and constructed by the Men of the Stone Age—Primitive Boats.....	65-70

## SECTION V.

*The Bronze Age.*

Introduction of the use of Bronze : transitional stage—Hoard of Bronze Weapons and Tools : Bronze swords, daggers, spear-heads, shields, battle-axe, and war-trumpet—Bronze Tools and Implements : Axe-heads, chisels, anvils, needles, and sickles.....	71-79
Ornaments : Gold diadems, armlets, and rings ; bronze rings, armlets, pins, and jet necklaces.....	79-81
Traces of the Sites and the Dwellings of the Prehistoric People—Causes and probable Origin of the Scotch Crannogs and Hill Forts—Description of the Crannogs ; Articles and Tools associated	

# CONTENTS.

ix.

PAGE.

with them—Three Classes of Hill Forts, their various characteristics, and purpose.....	81-92
Bronze Age Interments : Cairn burial ; Urn interments ; Cremation cemeteries—Stone Circles : Interments within stone circle areas—Result of recent Investigation.....	92-96
Probable length of the Prehistoric Period in Scotland—Social State of the Prehistoric Peoples, their Religion, Culture, and Civilisation .....	96-104

## SECTION VI.

### *Roman Period.*

Roman Invasion—Agricola's Advance ; the Native Tribes offered a vigorous resistance—Battle of Mons Grampius—Agricola recalled to Rome.....	104-109
The Roman Legions had an incessant conflict with the Independent Tribes—Roman Walls—Severus' Campaign—Departure of the Romans.....	109-112

## SECTION VII.

### *Chief Tribes of the Country from the Fifth Century to the Foundation of the Monarchy.*

New Historic Conditions : the Britons and the Kingdom of Strathclyde—The Picts, extent of their Territories—Settlement of the Angles in the south—Battle of Dunnichen—Migration of the Scots from Ireland to Argyle and the Isles—Aidan, King of the Scots—The Norsemen.....	112-118
Intermittent Warfare amongst the Chief Tribes ; Causes which led to the Foundation of the Historic Monarchy—Kings of the Picts : Angus, Constantine, Kenneth M'Alpin—founded the Historic Kingdom ; its extent—M'Alpin's reign.....	119-121

## SECTION VIII.

### *Introduction of Christianity.*

Christianity an important factor in the Civilisation of Scotland—Missionary Efforts of St. Ninian ; his Miracles and Churches—St. Kentigern's ; his difficulties with the King of Strathclyde ; leaves Strathclyde, but afterwards returned—His Death, Tomb, and Relics—St. Cuthbert.....	121-126
---	---------

St. Columba ; his early life—His arrival in Iona, and his labour amongst the Picts ; He founded many Monasteries—His encounters with the Magi and evil-spirits.....	126-129
The form of Christianity introduced—Columba's Institution of Iona : the Buildings, and the Monastic Community and its Organisation, Divine Service, Priest's Orders, Interment of the Dead, Sign of the Cross, Hospitality, Food ; Regular Work of the Columban Community.....	130-133
Death and Character of Columba—Importance of the Institution of Iona—Attacked by the Norsemen ; Dunkeld the chief Religious Centre—Influence of the early Saints on the subsequent religious feelings of the People.....	133-135

## SECTION IX.

*Gradual Extension of the Kingdom to the End of the Eleventh Century.*

External and Internal Conflicts—Long Struggle against the Norsemen—Reign of Constantine II., a Meeting on the Mote Hill of Scone—Attempts to extend the Kingdom south-westward, and northward—Malcolm I., Indulf annexed Edinburgh—A Contest for the Throne—Reign of Kenneth II.—Constantine III. and Macduff—Reign of Malcolm II. ; Battle of Carham, and annexation of Lothian ; Death of Malcolm.....	135-139
King Duncan engaged in a struggle with the Chiefs of the North ; Duncan slain ; Reign of Macbeth--King Duncan's sons ; Siward's Expedition against Macbeth unsuccessful—Macbeth slain.....	139-140
Reign of Malcolm III. (Canmore) ; extent of his Kingdom—His marriage with a Saxon Princess ; her influence—Malcolm invaded Northumberland—Meeting of William the Conqueror and Malcolm III.—Death of the Conqueror—Malcolm again invaded Northumberland ; his death—A Contest for the Crown between Donald Bane and Malcolm's sons—Edgar placed on the Throne.	141-145

## SECTION X.

*State of Society from the Seventh Century to the End of the Eleventh.*

Early Forms of Tribal Organisation ; Relation of the Tribal Community to the Land ; Causes of Social Changes ; Origin of Private Property in Land—Divisible Rights in Land ; Tribal Organisation in the Eleventh Century.....	145-150
Agriculture, Food, and Dwellings of the People—Trade, Markets....	150-151

	PAGE.
Crime and Punishment—Social Morality—Customs associated with Marriage—Attempts to place the Institution of Marriage on a proper footing—State of Religion.....	151-157

## SECTION XI.

*Early Architecture. Sculptured Stones.*

Local Area and Number of the Brochs—The form and characteristics of the Brochs—Origin of the Brochs—Indications of the Civilisation of the People who erected and occupied the Brochs.....	157-163
Early Stone Churches—Round Towers of Brechin and Abernethy....	163-165
Sculptured Stones : the Earliest Class ; other Classes having a Cross on them ; the Earliest Class having only the peculiar Symbols—probably of Pre-Christian origin—The Representations on the Stones treated Historically.....	165-171
Characteristics of the Art of these Monuments—Associated with the Art of the Illuminated Manuscripts ; Elaborate Decoration—Ethnic Relations of these Monuments.....	171-174
Inscribed Monuments : Ogham, Gaelic, debased Roman, and Runic..	174-176

## SECTION XII.

*Characteristics of Early Celtic Art. Fragments of Early Literature.*

Celtic Art as developed on Metal Work—Mirrors, Rings, Brooches, Chains ; Crosier of St. Fillan.....	176-181
Cummene's Life of St. Columba—Adamnan, Abbot of Iona : his Life of St. Columba ; its characteristics—Other fragments of Latin Writings—Earliest Specimen of Gaelic Writing.....	181-184
The Ferleiginn : the Monasteries as Schools—Legends, Stories, and Rhymes common among the People—Conclusion of the Introduction.....	184-188

## CHAPTER II.

*Critical Estimate of the Result of Norman Feudalism on the Civilisation of Scotland.*

Statement of the Historical Question—Commencement of the Plundering Expeditions of the Normans ; infested France and threatened Paris ; Normandy ceded to Rollo, who became the

	PAGE.
first Duke—The succeeding Dukes ; Rising of the Peasantry— Robert the Magnificent ; Birth of William the Conqueror— Robert the Magnificent attempted to invade England.....	189-192
William the Conqueror ascended the ducal throne ; his struggle with the Nobles : He ordered the mutilation of thirty-two of the Citizens of Alençon—Character of the Feudal Government of Normandy—William prepared for the Invasion of England ; he defeated Harold, and proceeded to subdue the English People— His Death and Character .....	192-195
Uncivilised and Savage Characteristics of the Normans ; Norman Feudalism almost destitute of the essential elements of Civilisa- tion .....	195-197
Effects of the Norman Conquest upon the English People ; it created new Historic Conditions—Result of the Introduction of Norman Feudalism into Scotland .....	197-199

### CHAPTER III.

#### *Narrative. Introduction of Feudalism.*

Reign of Alexander I., and Earl David—Election and Consecration of Bishops of St. Andrews.....	200-201
Accession of David I.—Commencement of the Introduction of Feu- dalism—David misapprehended its Nature and Tendency ; Rising against the King ; the Province of Moray forfeited to the Crown—Invasion of England ; Battle of the Standard.....	201-204
Death of Prince Henry ; his children ; Death of David I.—Reign of Malcolm IV. ; Local Risings—Accession of William the Lion— Invasion of England ; Capture of the King of Scots ; Surrender of the Independence of the Kingdom to Henry II., but restored by Richard I.....	204-206
Risings in Galloway and the North ; Disaffection of the People—Pro- gress of Feudalism.....	206-209
Reign of Alexander II. ; Rising in the North—Alexander and King John—Argyle subjected to the Crown ; Diocese of Lismore erected—Local Risings—Policy of the King ; his death—Councils of the Scottish Church.....	209-213
Coronation of Alexander III. ; Policy of the Nobles during his Minority—Interference of Henry III.....	213-214
Alexander III. resolved to subject the Western Isles—Haco's great Expedition ; its failure and cession of the Isles to Scotland— Death of Alexander's children—Meeting of the Estates ; Death of the King.....	214-217



Guardians appointed ; Robert Bruce aspired to the Throne—Marriage Project of Edward I.—Treaty of Brigham—Death of the Maid of Norway.....	217-219
---	---------

## CHAPTER IV.

### *Social Condition of the Nation in the Twelfth and Thirteenth Centuries.*

Feudal Organisation : the King, Revenue, Crown Officials ; King's Council ; Legal Functionaries.....	220-222
Early Specimens of Charters ; Charters made a requisite condition of holding Land, and a test of Freedom and Civil Rights ; Thus many of the People were deprived of their Rights—Powers and Privileges granted by the Kings to the Norman Nobles—Connection of the Church with Feudalism and the Land—Hereditary tendency of Feudalism.....	223-228
Law—Crime—Forms of Trial and Punishment—Compurgators—Ordeals—Wager of Battle, Hot Iron, and Water—Origin of Jury Trial—Indications of Improvement—Sanctuaries.....	228-232
Early Towns : Royal Burghs ; their Relations to the Crown—Trading Communities to the north of the Grampians—Court of the Burghs—Laws of the Burghs—Government and Organisation of the Burghal Communities ; Guild Brethren—Markets—Burghs of Regality and Barony—Church Burghs.....	232-238
Coinage ; Weights and Measures ; Commerce of the Kingdom ; Commercial Treaty with Flanders—Home Manufactures ; Hand Craftsmen—Seals of the Kings, Nobles, and Bishops.....	238-243
Reorganisation of the Church—Dioceses and Parishes ; Monastic Ideal ; Celibacy—Schools.....	243-245
Literature of the Period : Chronicles ; Records.....	245-247
Architecture : Castles ; Churches.....	247-250
Husbandry ; Herds of Cattle ; Dairy Produce ; Grain Crops ; Mills, Brewhouses—Crown Lands—Church Lands—Condition of the Occupiers and the Toilers of the Land—Bondmen and Serfs—Conclusion .....	250-254

## CHAPTER V.

### *Disputed Succession. War of Independence.*

Edward I. resolved to decide the fate of Scotland ; the Nobles and Clergy admitted his claim of feudal superiority, and the Claim-

	PAGE-
ants of the Crown acknowledge him as their Lord Superior ; they granted Edward seisin of the Kingdom ; he took possession of the Castles, and began the swearing-in process.....	255-258
Claims of the Competitors for the Crown ; Edward's proceedings ; the issue lay between Bruce and Baliol ; they argued their Claims at great length, but the Lord Superior gave judgment in favour of Baliol.....	258-260
Baliol crowned at Scone ; his position in Scotland—The Lord Superior insulted and humiliated the vassal King—A Parliament at Scone ; perilous state of Scotland—Treaty between France and Scotland—Position of the Scotch Nobles.....	260-262
Commencement of the War of Independence—Edward I. massacred the Citizens of Berwick—Baliol renounced his allegiance—The Scots defeated—Edward's march through Scotland—Baliol deposed—Edward's Measures for the Government of Scotland.....	263-265
The Scotch Nobles and the People—Wallace appeared as the National Leader, attacked parties of the Invaders ; Organised an Army and captured Castles—Battle of Stirling Bridge.....	265-268
Wallace's efforts to promote Industry ; appointed Guardian of the Kingdom ; the Difficulties he had to contend with—Edward I. again invaded Scotland—Wallace's Tactics—Battle of Falkirk—Wallace resigned the Guardianship.....	268-271
New Guardians elected—Wallace proceeded to France—Edward continued his efforts to subdue the Scots—A Papal Bull against his Claims on Scotland—A Truce.....	271-273
France and the Pope deserted the Cause of Scotland—Battle of Roslin—Another great Invasion—Edward's March through the Kingdom ; his Negotiations with Comyn and the Nobles ; their submission—Wallace must surrender unconditionally to Edward	274-277
Siege and Surrender of Stirling Castle—Edward's efforts to capture Wallace ; Menteith seized Wallace—Execution of Wallace—Influence of Wallace's career on the Scots—Edward's new form of Government for Scotland.....	277-280

---

## CHAPTER VI.

### *War of Independence. Robert Bruce.*

Position of Bruce ; a Bond between him and Bishop Lamberton—Bruce's tragic meeting with Comyn—Bruce mounted the Throne of Scotland ; his adherents few in number—Edward I. proclaimed severe measures against him ; Bruce's small army defeated, and his followers captured and executed.....	281-284
---	---------



	PAGE.
Bruce reduced to great extremities ; forced to wander in the woods and mountains ; he retired to the Island, of Rathlin ; but the tide turned, and in May 1307, he defeated a body of English Cavalry—Death of Edward I.....	284-287
Bruce defeated the Comyns and broke their power—The Scottish Clergy recognised Bruce as their King—Step by step the Castles and the Country were recovered from the Invaders.....	287-291
Battle of Bannockburn .....	291-295
Bruce's Policy after the Battle ; Attempts to make Peace ; intervention of the Pope ; Bruce and his Adherents Excommunicated—An Address to the Pope.....	295-298
Attempts to make Peace ; invidious Policy of the English Government—A great Invasion of Scotland resolved on ; Bruce's tactics led to the failure and defeat of the English Army—Renewal of the Alliance with France.....	298-300
The English Government sued for Peace—Independence of Scotland acknowledged ; Stipulations of the Treaty.....	300-302
Closing years of Bruce's Reign—Marriage of his Son—His Residence and Life at Cardross—Letter to his Son—His Death.....	302-303

## CHAPTER VII.

### *Narrative to the Return of James I.*

Succession of David II. ; Regency of Randolph ; his Death—Edward Baliol claimed the Crown, and invaded the Kingdom ; his supporters ; Efforts of Andrew Moray and the National Party—Invasions of Edward III.....	304-307
Baliol and his English supporters driven out of the Kingdom—Return of David II.—Invasion of England ; Battle of Durham, defeat of the Scots, and Capture of the King—The English seized the Southern Counties .....	307-309
The Steward elected Regent—The King's Ransom ; great difficulty of paying it—Parliamentary Proceedings ; Measures adopted—Position, Action, and Character of David II.—Arrangements about the payment of the balance of the Ransom.....	309-313
Death of David II.—Accession of Robert II.—Settlement of the Succession to the Throne—Renewal of the Alliance with France	313-315
Border Warfare—Arrival of French Troops ; a Raid into England ; Departure of the French—Battle of Otterburn .....	315-318
A Regent appointed—Death of Robert II.—Accession of Robert III. The Wolf of Badenoch ; Turbulence of the Nobles ; Weakness of the Crown—Duke of Rothesay appointed Lieutenant-General	

of the Kingdom—Recommencement of War on the Borders ; English Invasions ; Henry IV.....	319-322
A Plot against the Duke of Rothesay, seized and imprisoned ; his Death—Prince James captured by the English—Battle of Har- law—Death of the Regent ; his son succeeded him—Return of James I.....	322-326

---

## CHAPTER VIII.

### *Reign of James I.*

James I. crowned at Scone ; his first Parliament ; Inquiry concerning Crown Lands ; He resolved to reduce the power of the Nobles ; Arrest of Sir Walter Stewart, Thomas Boyd, the Earl of Len- nox, and Sir Robert Graham—Proceedings of Parliament—The Duke of Albany and Thirty Nobles and Knights seized and im- prisoned ; Trial and Execution of Albany, his Sons, and the Earl of Lennox.....	327-329
A Parliament at Inverness—Seizure and Imprisonment of the Lord of the Isles, and a large number of Highland Chiefs ; Risings in the Highlands—Marriage of the King's Daughter with the Dauphin of France—The King's Ransom never paid.....	329-330
Policy and Legislation of James I.—Administration of Justice—His relations with the Church ; a Heretic Executed—James encour- aged Industry.....	330-333
James' Encroachments upon the Nobles ; Forfeiture of the Earl of March, the Earldom of Mar annexed to the Crown—A Plot formed against the King : Sir Robert Graham and the Earl of Athole ; the Plot matured ; Murder of James I.—Capture and Execution of his Murderers.....	333-337

---

## CHAPTER IX.

### *Narrative to the Battle of Flodden.*

Succession of James II.—Struggles among the Nobles during the King's Minority ; Execution of the young Earl of Douglas and his Brother—William, Earl of Douglas, assumed the title of Lieutenant-General of the Kingdom, and summoned a Parlia- ment : A Struggle with the Crown became inevitable.....	338-340
Marriage of the King—The Livingston Faction crushed, and their Lands forfeited—Proceedings of Parliament—The Earl of Douglas	

and his Allies ; Murder of the Earl of Douglas ; Civil War ; the new Earl of Douglas defied the King ; Battle of Brechin ; at last the King defeated the Douglas Tribe, and forfeited their Lands	340-344
Siege and Capture of Roxburgh Castle ; Death of the King ; James III., a boy, Crowned ; the Government conducted by Bishop Kennedy and the Earl of Angus ; Death of Kennedy ; then the Nobles recommence their plotting ; the Faction of the Boyds assumed the supreme power—Relations of Denmark and Scotland ; Marriage of the King—Fall and Forfeiture of the Boyds—Parliamentary Proceedings.....	344-348
Character of James III.—Treaty between the Lord of the Isles and the King of England ; Proceedings against the Lord of the Isles ; Earldom of Ross annexed to the Crown ; the Lord of the Isles created a Peer—The King incurred the enmity of the Nobles ; his brothers—Death of the Earl of Mar, and Flight of the Duke of Albany ; he plotted against the Crown of Scotland—Menacing attitude of England : the Scottish Parliament and Edward IV...	348-350
Muster of the Scotch Army—The Nobles seized the King's Favourites and hanged them, and imprisoned the King ; the Duke of Albany assumed the Government, but soon fled—A Party of the Nobles continued to Plot against the King ; induced his Son to join them and rose in Rebellion—Battle of Sauchie Burn, Death of James III.....	350-352
Proceedings of the Dominant Faction—James IV.—Church Affairs..	352-355
Forfeiture of the Lord of the Isles—Policy of the Government towards the Celtic People.....	355-357
Foreign Relations of Scotland—Characteristics of James IV. ; his welcome to Perkin Warbeck ; recognising him as Prince Richard—James mustered an Army and crossed the Tweed in support of Perkin's claim to the Throne of England, but the Expedition failed, and Perkin was sent away.....	357-359
A Truce with England was concluded after Perkin's Departure—James IV. was popular ; and he had several Natural Children—Marriage Treaty between James and the Princess Margaret of England ; celebration of the Marriage.....	359-362
Foreign Relations : Death of Henry VII. ; Henry VIII.—Sea Fight between the English and Scottish Captains—War between England and France—James IV. resolved to support his old Ally, mustered his Army, and invaded England ; Battle of Flodden .....	362-365

## CHAPTER X.

PAGE.

*Social Condition of the Nation in the Fourteenth and  
Fifteenth Centuries.*

Origin of the Scotch Parliament ; admission of the Representatives of the Burghs ; import of certain Phrases ; Functions assumed by Parliament ; the Judicial Committee of Parliament ; the Lords of the Articles—Attempts to establish a Court of Supreme Jurisdiction ; Proceedings of the Judicial Committee and of the Lords of Council—Church Courts.....	366-371
Power of the Nobles ; rise of new Families during the War of Independence, but Robert I. increased the feudal power and privileges of the Nobles ; Subsequently they entered into bonds with each other and marriage alliances, which often led to lawless proceedings and anarchy ; All the efforts of James I. and the succeeding Kings failed to restrain their oppressive lawlessness	371-374
Deplorable State of the Nation—The small-landed Proprietors and Tenants greatly oppressed.....	374-376
State of Agriculture—The Crown Lands ; the Tenants and Occupiers of these Lands—Church Lands.....	376-380
Condition of the Tillers of the Soil—Causes which led to the emancipation of the Bondmen and Serfs.....	380-382
Burghal Communities ; the Border Burghs ; Characteristics of the People of the Borders.....	382-385
The Northern Burghal Communities.....	385-386
Burghs of the Central Region of the Kingdom ; Burgh Rents—Custom of the Burghs—Number of Sheep in the Country—The Earl of Douglas and others evaded the payment of Custom, and often seized the Money in the hands of the Collectors—Revenue of the Crown.....	386-391
Commerce of the Kingdom—Seasons of Dearth—Description of Imports.....	391-394
The Coinage ; depreciation of the Currency ; value of Scots Money at the end of the Fourteenth Century, and at the end of the Fifteenth.....	394-397
Characteristics of the Daily Life, and the Laws of the Burghal Communities—The Chamberlain's Court : Inquisitorial System of Inspection ; Ale Tasters, and Official Fixers of the Price of Food and Goods ; Foresters and Regraters—The Burgesses of Guild.....	397-404
Position of the Craftsmen ; Acts of Parliament touching them ; mode of incorporating the Craftsmen, illustrated from the Records of Edinburgh—State of Mechanical Skill.....	404-408

	PAGE.
Cities and Burghs of the Church.....	408-409
Defence of the Country ; Military Habits of the People ; Armour and Weapons ; the Organisation of the Army—Tactics of the Scots—Introduction of Artillery.....	409-413
Probable Population of the Nation—Roads and Inns—Defective Sanitary Conditions ; Pestilence—Lack of Medical Science.....	413-415
Drinking Habits ; Chief Festivals—Rural Sports and Games.....	415-418
Sumptuary Enactments : Dress of the different Ranks of Society ; Household Goods ; Ornaments and Plate.....	418-421
Price of the staple Necessaries of Life—Condition of the Vassals, Tenants, and Labourers on the Crown Lands—Wages of Work- men.....	421-422
The State of Crime—Beggars, Sorners, Oppressors, and Vagabonds were numerous ; Modes of Punishing them ; Defects in the Administration of Justice—Functions of the Sheriff: Murder, Robbery, Rape, and Theft ; Custom of saving Criminals from Punishment ; Various forms of Punishment ; Penance—Crime in the Burghs—Social Vice.....	422-428
Architecture—Castles, Churches.....	428-431
Wealth of the Church ; Monasteries ; Nunneries ; Friars ; Hospitals	431-434
Religious Feeling of the People : Avowed Motives for assigning Money and Property to the Church—Pilgrimages ; Processions ; Relics ; Sunday—Conclusion of the Chapter.....	434-440

---

## CHAPTER XI.

### *Literature of the Nation in the Fourteenth and Fifteenth Centuries.*

The Lowland Scotch Language, influence of the Celtic genius on it— Early Celtic Ballads and Tales ; Celtic Heroes—Specimen of Gaelic Poetry—Origin of Rhyme.....	441-444
Lowland Scotch Ballad Literature—Thomas the Rhymer—Early Specimens of the Language—Ballad on the Battle of Otterburn, Battle of Harlaw ; Sir Patrick Spens—Romantic Rhymes ; Fairies and Elves—Holland's <i>Howlat</i> ; Cockelbie's <i>Sow</i> .....	444-451
Barbour : his Life ; his <i>Metrical Story of Robert Bruce</i> —Literary Merits of his Work ; its Historical Value—The Achievements of Bruce celebrated by other Poets .....	451-455
Andrew Winton's <i>Chronicle</i> ; its Characteristics .....	455-456
James I. ; his Attainments and Energy ; his Writings ; <i>The King's Quair</i> .....	456-458



	PAGE.
Blind Henry, the Minstrel ; his mode of Life ; his Rhymed Book on Sir William Wallace ; the Materials from which it was com- posed ; its great popularity.....	458-462
Robert Henryson ; his Life ; Characteristics of his Writings.....	462-463
Sir John Rowll's Poem—Fordun's <i>Chronicle</i> —Increasing Importance of the National Literature.....	463-464

---

## CHAPTER XII.

### *Education, Music, and Art of the Period.*

Schools : the First Educational Act—Origin and Institution of the University of St. Andrews—The Institution of the University of Glasgow—Establishment of the University of Aberdeen—Con- stitution of the Scottish Universities—Early Scottish Teachers of Philosophy.....	465-468
Scottish Music : Singers, Harpers, Fiddlers, and Pipers—Musical Instruments—Dramatic Plays.....	468-470
Painting—Seal Engraving—Seals of the Period--Conclusion.....	470-472

# THE HISTORY OF CIVILISATION IN SCOTLAND.



## CHAPTER I.—INTRODUCTION.

### SECTION I.

#### *The Scope of the Work.*

IN every stage of a nation's career from barbarism to civilisation, there are many conditions involved. The underlying causes of progress in the early stages being so remote and varied that they often elude investigation ; still, if some of the salient points of the process can be reached, the social phenomena may be partially realised : if the surrounding circumstances of early tribes can be ascertained, patient research may elicit valuable results. It is exceedingly interesting to search for the causes and the influences which have operated upon the life of our early ancestors in their many struggles. To trace the light of consciousness dawning, and experience slowly becoming more effective, gradually dispelling the mists of far-gone ages—the spirits, myths, and legends, which enveloped the minds and affected the thoughts and emotions of our early kindred—till the flickering rays of intelligence ascended the horizon, and the shadows and myths receded, step by step into the background. Yet the many retarding influences and circumstances constantly recurring, and the difficulties and obstacles encountered at every turn, were only slowly overcome by the persistent energy of man. As time rolled on, original thought was developed, new influences and agencies arose and came into operation, which tended to subdue the ruder features of the race, and to promote social organisation and advance culture ; and when these became effectual, the people gradually emerged from the trammels of ignorance and superstition, and at last enjoyed a more secure and happier life.

Any attempt to indicate the causes which have induced a number of scattered tribes, almost living in a primitive state, to pass through the various stages of progress to a comparatively high civilisation, must examine many conflicting agencies. The difficulties of truly assigning the effects of different causes, especially in the early stages, are very great, where ascertained facts are few and the phenomena so obscure; while the natural tendency of the human mind to generalise upon incomplete data is not easily resisted. Scotland offers a fair and tempting field for the study of this subject. Inasmuch as we find man living there in a very early stage, and can trace the social organisation of tribes, their conflicts issuing in the foundation of a monarchy, and the development of an intense nationality; and the beginnings of industry, of art, and of culture among the people, and their continuous progress, through the various stages of civilisation, onward to the present time. In this period, extending over four thousand years, we can study the various agencies and influences, and the different historic conditions which successively arose, and controlled the stream of events and moulded the historic phenomena. Thus the aboriginal race which long occupied the country, were subdued and absorbed by another race, which in turn were invaded by powerful enemies, but the natives made a vigorous resistance. After this, other migrations and invasions followed, issuing in new historic conditions, which contributed to the extension of the kingdom, and the development of the nation. In the natural course of events the kingdom fell under the influence of foreign interference, which led to new invasions and determined attempts to conquer the nation. The people resisted, and a long struggle for liberty and independence ensued, which, in its heroic features of resistance to oppression and the importance of its ultimate result, is unmatched in the annals of any nation. While later, internal political and religious conflicts were manifested in a variety of forms, and constitute an exceedingly interesting and important part of the national history. Thus, although some countries have a greater history than Scotland, few have a longer, a more eventful, or a more peculiarly interesting one.

The work does not profess to present an exhaustive political history. This branch will be treated according to its comparative importance in the different periods, and the relative value of its facts and phenomena, viewed as a factor in the general movement of the nation. The main aim of the work being to reach the moral and intellectual



factors of progress, and especially to present ample details of the material and social conditions of each period; and thus embracing all the causes, agencies, and influences, in a connected scheme, to unfold the successive stages of the progress, the culture, and the development of the civilisation of the people.

As the term civilisation, in its widest import, includes all the material and intellectual products, the religion and social organisations and institutions of a civilised nation, a disquisition on the elements of these complex subjects would be out of character in this section. From my standpoint, historically, civilisation began with the first conscious efforts of man, whenever he began to act with an end in view, such as to make weapons to defend himself or implements to procure food: and this is sometimes called the primitive state, from which mankind have gradually advanced in culture, more or less, according as surrounding nature, circumstances, and historic conditions, were favourable to their progress, or the reverse. To trace and explain such a progress and development in the limited area of Scotland is the conception and end of this work; so the prehistoric ages will be treated in a concise and connected form onward into the historic age, and associated with the manifold causes, circumstances, changes, and influences, which have operated upon the people, and ultimately resulted in our present stage of civilisation.

The primary causes of civilisation may be shortly indicated thus:—1, The human mind itself; 2, Surrounding nature, including climate, soil, and natural products; 3, Historical conditions; and 4, Social and material conditions. The mind of man is the prime factor of civilisation, and unless this is recognised no satisfactory explanation of development and progress can be given. For the internal power of the mind is the only natural and conceivable cause of the origin of civilisation; insomuch, that without it civilisation is inexplicable. Still, the circumstances in which man finds himself placed may have an important effect upon him. In the early stages, climate, soil, and natural products have a potent bearing on the direction which man's progress might take; if he can live without much effort, as when his wants are supplied by nature in abundance, he will feel inclined to enjoy himself in ease. But the increase of numbers sooner or later begins to affect him, and exertion in the form of migration or in other ways at last becomes necessary, and outward movements and conflicts would then commence. When historical conditions arise, they become the chief external causes of relative changes in the state of

society, but such changes may not be always favourable to progress, though they often tend in that direction. The social and material conditions are exceedingly important factors in civilisation. It is principally the social feeling which originates society, and binds mankind into groups, tribes, and nations. Religion also often operates as a social influence, in association at first with the instinct of self-preservation, and at later stages in association with the higher emotions.

The lower and narrower forms of moral tendency spring out of human nature and the necessities of life—the social and sympathetic feelings. The higher sentiments and emotions, and the definite ideas of right and wrong, of justice, honesty, truth, and so on, were only developed slowly, and with extreme difficulty. The very sentiment and idea upon which justice itself rests is distinctly progressive; as at first it appears obscure and often contorted, so it has only been gradually growing in clearness, in purity, and in comprehensiveness. How far it is even yet from being perfect needs no exposition.

Following the lines above indicated, the geographical and physical features of the country will be described, seeing that they have had an influence on the development of the inhabitants. The direct action of climate, soil, and food, on man is difficult to estimate, and varies in different quarters of the globe; its operation is obscure, as it is independent of volition, and man is merely passive under it. But the indirect action of external nature is more potent on the development of man, for it presupposes a reaction on his part under the stimulus of his wants and activities, and in this relation the influence of physical agencies upon man and society, especially in the early stages, were everywhere felt.

We may safely assume that man has always sought to gratify the inherent cravings of his being. His primeval feelings and passions were strong, and sometimes bounded into activity with endless degrees of force; hence the varied ethnic affinities of races, the diversity of historical conditions, tribal and political conflicts, conquests, and amalgamations, which have contributed to produce such manifold results throughout the world.

Myth appears to spring from the same source as science; originally it was simply man's early attempt to interpret his surroundings. In the myth-making stage of culture, man was ignorant of the causes of the natural forces around him, hence he was eagerly looking for something to give him an explanation of external phenomena. He

found an explanation in his own will and feelings ; and so every moving object, animate and inanimate, was thought to be impelled by a force akin to his own mind. All the mental powers that man found in himself were transferred to external nature. Thus the ancient world became inhabited by multitudes of spirits, demons, and gods. Long after the original mythical meanings were lost, new explanations were fastened on names and words, and thus the process proceeded ;<sup>1</sup> until the attainment of definite knowledge dethroned the swarms of spirits, gods, demons, and witches.

## SECTION II.

### *Geographical and Physical Features of the Country.*

Scotland is separated from England by the River Tweed, the Cheviot Hills, the Liddel Water, and the Solway Firth ; the Cheviot range naturally tended to fix the southern limit of the country. The boundary line runs in a slanting direction from Berwick-on-Tweed to the Solway Firth, a distance of seventy miles, and except on this line Scotland is surrounded by the sea. On the east side lies the North Sea, on the west the Atlantic Ocean ; the North Channel, between the south-western part of the country and Ireland, is only thirteen and a half miles broad at the Mull of Cantyre, and the most southerly part of the coast is washed by the Irish Sea. The west coast is nearly in a line with the east of Ireland, and the greater part of Scotland lies west of England ; and the south-eastern end of the island approaches so near the continent of Europe that the opposite coasts of England and France are only twenty-one miles apart from each other at the narrowest point of the Channel. Between Scotland and Norway there are 300 miles of sea, and between Denmark and Scotland 400 miles of sea. These natural facts, as we shall find, had an important bearing on the early history of the island.

The coasts of Scotland are very irregular, and broken, and rocky. On the whole of the west coast there are numerous arms and inlets of the sea, which penetrate far into the interior of the country, while here and there the land extends out to the sea in numerous islands and surf-beaten rocks. Amongst the most noted of these inlets of the sea are Lochs Linnhe, Torridon, Duich, Hourn, and Nevis ; on the south and north coasts the bays and inlets are not so numerous,

<sup>1</sup> *Celtic Mythology*, by Alexander Macbain, M.A.

though on the northern there are the Firths of Moray, Inverness, Beauly, Cromarty, and Dornoch. The east coast is much less indented than the other sides, but on it are the two important estuaries of the Forth and Tay. Owing to these numerous firths, inlets, and arms of the sea, the coast-line of Scotland measures about 2,500 miles, which affords many industrial and commercial advantages.

The Orkney Islands lie off the northern mainland, and are separated from Caithness by the Pentland Firth—a dangerous channel—6 miles broad, and noted for the strength and rapidity of its tides and currents. This group of islands amounts to upwards of sixty, but most of them are small, and others merely bare rocks, and only twenty-nine are inhabited. The largest of the group is about thirty miles in length. The surface of these islands mostly consists of heathy wastes, intersected with rocks, swamps, and lochs; there are scarcely any trees, and the cultivated portions yield oats and green crops. The only towns are Kirkwall and Stromness. The climate is rather moist, but not severe.

The Shetland Island lies about one hundred miles off the northern coast of Scotland, and they are separated from the Orkneys by seventy miles of sea. This group exceeds one hundred islands, but more than the half of them are small holms or rocky islets, and only about thirty of them are inhabited. These islands have a less favourable climate than the Orkneys; they are more rugged, and the agriculture is poor; but the Shetland sheep yield a fine soft wool, which is much valued. The inhabitants chiefly live by fishing, and Lerwick, their only town, has a harbour which is frequented by the vessels of different nations as a haven of refuge. The Shetlands are only two hundred miles from Norway, and hence they became important in relation to the ethnology and colonisation of the northern and western coasts of Scotland.

The Hebrides or Western Isles lie on the western side of Scotland, and are very numerous. They stretch along the western shores nearly to the coasts of Ireland, and are regarded as the natural break-water of the north-west coasts. They consist of two chief groups: 1, those lying close to the mainland, as Mull, Islay, Skye, and others, called the inner group; 2, those lying to the west of the Channel of Minch, and usually called the outer islands. These outer ones form a continuous group of 140 miles in length, and so close together that they have been regarded as one, and named the Long Island. Lewis is sixty miles long, being the longest of the group, and the longest



island belonging to Scotland. Probably some of these islands were inhabited at an early period, and they became connected with the ethnology and the colonisation of the west of Scotland; and also with the introduction of Christianity, and thus were associated with the early history of the country.

The islands in the Firth of Clyde are Bute and Arran, the two Cumbræes, and the Rock of Ailsa. The climate of Bute is mild, and its central and southern parts are well suited for tillage and pasture, but its northern extremity is rugged. Arran is remarkable for its lofty hills and glens, and only a small portion of it is suitable for cultivation. Ailsa Craig lies in the broad part of the Firth, and is simply an insulated rocky hill, about two miles in circumference, and rising in steep cliffs to 1,098 feet above the sea. It is a great resort of the solan goose and immense numbers of other sea birds.

On the east coast there are only a few detached islets. The Bass Rock, on the south side of the entrance of the Firth of Forth, is a mass of basalt rising perpendicularly to 400 feet. The islands of May, Inchkeith, and Inchcolm, are all in the Forth. The Bell Rock lies 14 miles east of the entrance of the Firth of Tay, and is the site of a notable lighthouse.

Turning now to the mainland, the country presents to the eye an exceedingly varied prospect. The fine diversity of mountains and wooded heights, rivers and valleys, narrow glens and ravines, and lakes, present stretches of charming scenery, and in other parts a succession of picturesque scenes of rugged and wild scenery, striking and imposing from the grandeur of their outstanding features. Many of the valleys and glens in every quarter of the country present scenery of exquisite beauty when seen in a fine summer-day in all their verdant glory. The existing aspects of external nature are the result of the operation of forces which have been working for untold æons, stretching far back into eternity. If we could recall the echoes from that vasty deep, and figure in imagination the successive phenomena as they appeared, then we might form some faint idea of the sublimity and the infinite significance of the great work of creation. The space which Scotland now occupies, and after the formation of its rocks, was repeatedly submerged by the ocean, and also at different periods enveloped in mountains of snow and glacier ice. The action of immense moving masses of glacier ice have contributed much to deepen and smooth the glens and the lochs, and to modify the contour of the

mountains and hills;<sup>2</sup> while the wasting powers which rain, frost, wind, and the sea possess, have all contributed to produce changes on the surface of the earth, and formed the many contrasts, the varied and picturesque features of the grand and beautiful scenery of the country.

The mountain ranges and the river system of the country may be briefly indicated. The Highlands are naturally marked off by mountains from the eastern Lowlands and the central valleys of the Forth and Clyde. The Grampian range of mountains stretches from near the coast of Kincardineshire across the country to Ardnamurchan on the west coast. These mountains vary greatly in figure and elevation; the average height of their higher summits runs from 3000 to 4000 feet above sea level, and their greatest height is reached at the top of Ben Nevis, which rises 4,406 feet, but it is not quite within the limit of perpetual snow. To the north of the Grampians ranges of mountains run off in successive waves to Cape Wrath, the shores of the North Sea, and the Moray Firth, and southward along the west coasts to the Mull of Cantyre, gradually diminishing in height as they approach the coasts, where the river valleys widen out into limited plains. These mountains are mainly formed of masses of rocks consisting of gneiss, granite, schist, and other crystalline rocks, and bands of quartzose, which are associated with some strips of limestone.

The scenery of the Highlands presents many varied and striking

<sup>2</sup> Dr. A. Geikie's *Scenery of Scotland*, pp. 81-87, 1887. "While land-ice is thus a most powerful geological agent in new-modelling the surface of the earth, its operations are not entirely confined to the dry land. As already stated, it creeps along the sea bottom for some distance from land until flotation comes into play, when large masses break off from the ice-cliff, and rising up and floating, sail away seaward as icebergs. These ice islands carry with them any soil or rock-rubbish which may have fallen upon them from inland cliffs while they formed part of the icesheet of the country. The debris so borne off is, of course, thrown down upon the sea bottom as each berg melts away, after a voyage of perhaps hundreds of miles. Year by year whole fleets of these bergs are sent southwards in the arctic regions, so that the bed of the northern seas must be strewn with earth and boulders. As only between an eighth and a ninth part of a mass of ice appears above the sea water on which it floats, the bulk of many bergs must be enormous. One rising two hundred feet above the waves—not an uncommon height—must have its bottom more than seven hundred feet below them, and the thickness of the ice-cap at its outer edge must be there about two thousand feet. The Antaretic ice-sheets and icebergs are of still more colossal dimensions."

features, associated with much similarity and wonderful order. The craggy array of peaks overhanging the narrow passes and glens, often present to the eye a marked similarity of bend and slope, of figure and contour ; still taking the whole of the Highlands, a rich variety of contrasts can easily be observed. Many of the Highland valleys present exceedingly picturesque and beautiful scenery.

Glenmore, or the Great Glen, is a remarkable feature in the physical structure of the Highlands. It extends from the Moray Firth at Inverness to the Sound of Mull, a distance of about one hundred miles, and separates the Highlands into two regions. In its middle portion there are three lakes—Loch Ness, the source of the beautiful river Ness, which flows through the town of Inverness ; Loch Oich, and Loch Lochy. These lochs are very deep. “The deepest soundings in Loch Ness gives a depth of 129 fathoms opposite the Falls of Foyers ; in Loch Oich, 23 fathoms ; in Loch Lochy, 76 fathoms.”<sup>3</sup> The lochs are situated in the midst of varied and beautiful scenery ; and the Caledonian Canal now connects them by navigable channels from shore to shore.

Some parts of the Highlands consist of barren moor, such as the Moor of Rannoch, extending to 400 square miles, which is little better than a desert. Its surface is level and a part of it covered by a bog ; it produces no vegetation, except a few fir trees, but granite covers many miles of it. To the north of it another sterile tract lies between Ben Nevis and the shores of Loch Ericht.

The Lowland region is marked off on the one side by the lines of the Highland mountains, and on the other by the southern uplands.

<sup>3</sup> “Its very straightness is enough to suggest that the Great Glen owes its direction to a line of dislocation. I ascertained in the year 1864 that the line of the fracture, or of one continued in the same line, can be seen along the western side of the Moray Firth, where the Jurassic beds of Eathic and Shandwick are thrown down against the Old Red Sandstone. Hence the downthrow at this end of the line is to the east side. It seems to me that this line has been from a very early geological period up, indeed, to the present day, a line of weakness in the crust of the earth. The prolongation of the tongue of the Old Red Sandstone up the valley of Loch Ness appears to show that the valley is older than that formation ; the dislocation of the Eathic and Shandwick shales proves disturbance even after the Lias ; and the agitation of the waters of Loch Ness, during great earthquakes in modern times, shows that, even yet, underground movements tend to reveal themselves along the same old line. Hence it may be reasonably conjectured that the fracture along the line of the Great Glen has been repeatedly modified during the subterranean changes of successive geological periods.” Geikie’s *Scenery of Scotland*, p. 234.

From St. Abb's Head to the cliffs of Portpatrick a range of hilly ground runs across the country from sea to sea; and in East Lothian and Edinburghshire, the long chain of the Lammermuir Hills rises into steep heights. The surface of the Lammermuirs, like most of the southern hills, is pretty smooth and covered with heath or coarse grass, except where the peat covers the hollows, and where the streams keep open their channels through the bare drift or hard rock. The tops of these hills are usually broad, smooth, and grassy; but on the western ridges they descend abruptly into the plains, and present gulleys and narrow glens, through which the drainage flows into the low grounds. These heights of the Lammermuirs fairly represent the general features of the scenery of the country between the North Sea and the Vale of the Nith, although in the higher parts of the region the smoothness and verdure of the hills are exchanged for the rocky scarfs, bare crags and cliffs, and deep narrow defiles, which remind us of some parts of the Highlands.<sup>4</sup>

The Lammermuirs, the Moorfoots, and the Pentland Hills, form a range running from east to west; further south, the Cheviots, the Moffat Hills, and the Lowther Hills, form a continuous range extending in a zig-zag course from east to west. The general features of these southern and border hills are remarkably uniform throughout; they are mostly covered with pasture nearly to the tops, and a great part of this region is naturally a pasture land.

The Lowlands of southern Scotland consist of a series of fertile valleys, some of which are of considerable extent. It may be observed that a different local topography prevails; as the term dale, instead of strath or glen, is used to indicate a stretch of low lying ground, a cultivated valley or a pastoral one. Amongst these notable local districts are Tweeddale, Teviotdale, and Lauderdale, which belong to the basin of the Tweed; Liddesdale, Eskdale, Annandale, and Nithsdale, each of which belong to the respective rivers of the same name, and slope toward the shores of the Solway Firth; the vale of Yarrow, the vale of Gala, and Ettrick, which have been rendered famous in the national songs and poetry.

But many parts of the central Lowlands are dotted with hills, and even long ranges. The Sidlaw Hills commence in the vicinity of Perth, thence extending in a north-east direction and terminating by a rapid declivity on the side of Strathmore, but descending in a fine

<sup>4</sup> Geikie's *Scenery of Scotland*, p. 281, *et seq.*



succession of terraces towards the North Sea. The Ochil Hills, with their offshoots, occupy much of the peninsula of Fife, and in some parts rise to a considerable height ; Ben Glack is 2359 feet above sea level.

Among the influences of external nature few have a more important bearing upon the people than the water courses of the country. The Watershed of Scotland runs southward from Cape Wrath to the head of Loch Quoich, whence it turns eastward between Lochs Lochy and Oich, then sweeping round the top of Strathspey and over the hills above the head of Loch Laggan, and thence following a curving southerly course past the west end of the Moor of Rannoch and the Brae Lyon mountains to Crianlarich, thence across Ben Lomond and south-eastward over the Campsie Fells into the broad Lowland valley : whence skirting the south-western parts of Linlithgow and Mid-Lothian, it sweeps up into the Pentland Hills, and then south between the valleys of the Clyde and Tweed to the Hartfell Heights, thence it strikes across to the Cheviot Hills. To the west of this line the water flows into the Atlantic, and to the east, into the North Sea or the Firths connected with it. Owing to the steep and mountainous nature of the west side of the Island, the Watershed keeps much nearer to the Atlantic than to the North Sea ; and hence the greater part of the country is drained into the latter. In the northern half of Scotland no large river enters the Atlantic ; on the western side of the Watershed as it runs through the counties of Sutherland, Ross, and Inverness, nearly all the great valleys which enter the sea come down from the south-east, and have their seaward portions filled by the tides of the Atlantic. Thus they form the series of inland sea lochs, narrow firths, and fords which characterise the western shores of the country.

On the north-east side, the Ness, the Spey, the Deveron, the Don, the Dee, the North Esk, the South Esk, and the Tay, and a number of smaller rivers, carry the drainage of the mountains into the sea. The principal rivers of the Central Lowlands are the Tay, the Forth, and the Clyde. The Tay descends from the heights of the Highlands, and as it were issues into the Lowlands through the narrow defile of Birnam, winds by Perth and gradually opens into a fine estuary ; and pours a greater body of water into the sea than any other river in Britain. The Forth rises on the eastern side of Ben Lomond ; and issues from the Highlands through the narrow defile of Aberfoyle ; and winding on it passes by Stirling and Alloa, and enters its

estuary. The Clyde rises from the Moffat Hills in the Southern uplands, flows northward, winding its course through the broad meadows, cultivated fields, fine woodlands, and beautiful stretches of scenery. The basins of the Forth and Clyde are not separated by ranges of hills, between the two rivers, the ground undulates across the great coal and iron fields from Campsie to the Pentland Hills.

The numerous rivers and streams give rise to a corresponding variety of defiles, straths, dales, and valleys. Besides those already mentioned, there are in the north-eastern side of the county, the valleys of the Dee, the Don, the Deveron, the Spey, and the Ness; and the notable ravines of the Findhorn, Nairn, and Beauly. Much of the best cultivable land of the country lies in the valleys, on the banks and haughs of the rivers.

Caithness presents a tract of comparatively flat land; and in the lower parts of Moray, Banffshire, and Aberdeenshire, there are considerable stretches of pretty level ground; but the greatest extent of level land in Scotland is the plain of Strathmore, which runs from the banks of the river Forth to the vicinity of Stonehaven, where it is terminated by the eastern Grampians. This plain is nearly ninety miles in length, and its breadth varies from sixteen miles at its widest part along the course of the Forth and Teith to less than a mile at its northern extremity. It is the largest extent of level and cultivable land in Scotland. The Carse of Gowrie lies along the banks of the beautiful estuary of the Tay, it is two or three miles broad, and one of the most fertile spots in Scotland. The Carse of Stirling lies on the south side of the Forth, and is remarkably fertile.

The Central Region extending between the Firths of Forth and Clyde presents a striking feature in the physical configuration of the country. The two Firths penetrate inwards on opposite sides, and opening out the mouths of the rivers, nearly cuts the country into two halves; and at this point reduces its breadth to forty miles. These natural features have had a controlling influence on the stream of events for ages: 1, In relation to the origin of historical conditions; 2, In relation to military and political conditions; 3, In relation to national defence and political independence; 4, In relation to the development of industry and commerce. The details of these will successively appear in the sequel of the work.

Lakes are still pretty numerous in Scotland; although in early

times they were far more numerous. During the last hundred and fifty years many lochs have been drained and turned into cultivated land; while the natural processes of growth have transformed others into mosses. They are most numerous in the Highland and Middle divisions of the country. Loch Lomond is the largest one in the Kingdom; it is twenty-four miles long and seven miles broad at its widest part. It contains upwards of thirty islands, many of which are richly wooded. For some time it has been held to be scientifically proved, that the greater part of the lochs of Scotland were formed or at least deepened by the action of glacier ice; some of them are scooped out of solid rock, the immense weight of a great moving mass of ice having effected this result.

Although the country is comparatively poor in soil, it is rich in the raw materials of industry. Limestone, greenstone, freestone, flagstone, slatestone, and granite of various colours are abundant. The carboniferous rocks extend from Fife Ness to the coast of Ayrshire, and cover the greater part of the Central Region—the coal, iron, and shale district. It has been estimated that the total depth of the carboniferous strata cannot be less than 6000 feet.<sup>5</sup> The richest portions of the coal fields are in Clydesdale, Lanarkshire, and Renfrewshire; the counties of Ayr, Fife, Stirling, Edinburgh, and Linlithgow, follow in order; and in most of these counties more or less valuable beds of ironstone, shale, and limestone, are intermixed with the coal. Broken strata of coal have been found as far north as Sutherlandshire. Lead and copper are found in small quantities; gold also has been discovered in several parts of the country, though not in sufficient quantities to repay the labour of searching for it. About twenty years ago, a number of persons employed themselves searching for gold in Sutherlandshire, and though small quantities were found, the occupation did not prove remunerative.

Within the limit of the close of the latest geological epoch, the flora and fauna of the country may be briefly noticed. The character of the vegetation varied in different localities, and according to altitude on the mountains. Heaths, and here and there a straggling alpine plant, graced the higher brows of the mountains; lower down, on their ribs, waving ferns and other wild growths shot up; around their base, and some 1500 feet upward on their sides, trees of pine and oak spread out their trunks and branches. The oak also abounded

<sup>5</sup> Geikie's *Scenery of Scotland*, p. 329, 1887.

on the low grounds, and other indigenous trees, such as the birch, hazel, alder, willow, and juniper, all lived and grew wonderfully. In the boggy valley and glen, marsh plants, sea growths, and other wild flowers sprang up. In the more level and dry grounds, natural grasses, and wood wherever the conditions were suitable covered the scene. How many of the fruit bearing trees and bushes were indigenous I am unable to tell; that there were wild fruit of various kinds need not be doubted.

Passing to the fauna of the country, vast multitudes of trout swarmed in the streams, rivers, and lakes; and immense shoals of fish, then as now, inhabited the firths and bays, and the encircling ocean. Touching the feathered species, there were several kinds of game, wild ducks, and fresh water and sea fowls were plentiful. Rapacious birds of the hawk and owl varieties, and the golden eagle were common. The British Islands are very rich in birds, nearly three hundred species are known, some of which are nowhere else found. The small singing birds of the country are well known, and need not be enumerated, for in spring and summer they enliven the garden, the wood, the valley and the mountain. Among the higher indigenous animals there were one or two species of the ox, from which the native cattle were probably derived. The sheep, red deer, and the roebuck were common; and the dog and the horse appear to have been domesticated at a very early period. The hare, the fox, wild cats, weasels, fumarts, and other wild animals, some of which have long been extinct in Scotland, such as the wild boar, the wolf, the beaver, and others, were common. The wolf held out for many centuries into the present era, and Acts of Parliament were passed in the fifteenth century, commanding the people to muster at certain seasons every year to hunt and destroy them.

Although the main outline of the country was the same then as now; yet the external surface and face of the country then presented a very different aspect to that which we see around us in every quarter at the present time. There was more water over the whole country; the Firths of Forth and Clyde rose some thirty feet above the present level of their tides; and the ground on which Leith, Dundee, Arbroath, Ayr, Greenock, Cromarty, and many other towns on the coast now stand, was then either wholly or in part covered with water. The rivers too were then much larger than they are now, and in many places their waters spread over a wider area. Then there were innumerable lakes and swamps, black mosses and moors;



and vast forests which swept in long withdrawing glades across the country. Thick clouds of mist often enveloped the land and water, and a severer climate prevailed. The reigning silence was only broken by the howl and snort of the wild beasts which roamed throughout the country. Such was the state of the country, when man first planted his foot on the soil of Scotland, and found himself surrounded by the conditions and the natural resources of the home, which I have briefly described ; and how far he has turned them to account this history should show.

The influence of climate, soil, food, and other natural agencies on man, and the early inhabitants of Scotland, have now to be considered. According to the brief statement in the first section, it is extremely difficult to distinguish in the early stages of society, what is due to external agencies on the one hand, from what is due on the other to the internal energy of man himself. Still the co-relative potency of external influences and natural agencies on the destiny of the human race can hardly be questioned. At once discarding visionary notions, and endeavouring to grapple with the real and living world ; we find men naked upon the earth amid the forces of nature, and on every side ferocious and venomous creatures to contend against ; while he had everything to learn, how to protect himself and to fight and struggle for his life. Thus we must see the importance of the surrounding conditions and circumstances. Here man had to shield himself from the biting cold and frost, there from the scorching and burning sun ; everywhere he found himself face to face with numerous forces which might have hurt or destroyed him.

Looking then to the climate and soil of Scotland in prehistoric times, the difficulty of obtaining food and protection from the cold and frost incident to the country, would have been the first matters to seriously affect the early inhabitants. The limited quantity of vegetable roots and wild fruit, which the soil spontaneously produced, must have rendered a supply of food from this source exceedingly precarious ; and, prior to cultivation in so sterile a country, the early inhabitants could hardly have subsisted on vegetable food. The only remaining source of food in sufficient abundance was the wild animals, fowls, and the fish swarming in the waters. But it demanded much exertion and some ingenuity on man's part to procure a supply of this description ; owing to the coldness of the climate, however, and his imperfect means of sheltering himself, animal food was most suitable for him, as it is best fitted to keep up the warmth of the body.

The results of these external conditions on the spirit and habits of the early inhabitants may be easily realised. The exertion and risk incurred in pursuing and slaying wild animals would naturally develop habits of daring and determination; and the very efforts necessary for his self-preservation tended to develop his faculties. In short, we may easily comprehend how the circumstances in which man found himself placed in this quarter of the globe, were admirably calculated to develop a fund of energy, a spirit of independence, and a physical constitution capable of great and heroic endurance.

The natural structure of the country was favourable to lawless freedom. Geographically there are few countries less adapted to the requirements of a central despotism than Scotland. As the obstacles interposed by nature rendered regular communication between the different parts of the country almost impossible for ages, the results of these structural features of the country have been enormous, and they will again and again force themselves upon our notice. Here I am mainly concerned with the effort to understand their early effects. Their outcome was exhibited in the form of a number of little local rulers planted throughout the country—sometimes called chiefs, at other times nobles, and they long possessed the supreme power in Scotland, though not always its nominal holders; and they offered a prolonged and determined resistance to the formation of an effective central authority.

The general features of a country may be considered in relation to the imagination, and also in relation to the understanding. The appearances presented by external nature to the eye and the senses mainly operates through the imagination, and this process has been supposed to have originated many of the superstitions which have afflicted mankind, such as those primitive notions of spirits and ghosts, myths, legends, and so on, which arose in the infancy of the race. Generally, it may be said, that whatever in the aspects of nature is calculated to inspire feelings of fear, terror, or bewilderment, and everything that raises in the mind an idea of the uncontrollable and unfathomable, has a tendency to inflame the uncultured imagination. In the early prehistoric ages, when men looked around and contrasted their own powers with the forces of nature, they were apt to become painfully conscious of their own helplessness and their dependent condition. Hence have sprung up the mythologies and polytheisms of the world. In those regions of the earth, where nature is seen on



a grand and imposing scale, the impressions produced on the mind would be the most effective and abiding.

But the mountains and rivers of Scotland, though numerous, cannot be considered as being on an exceedingly grand scale, when compared with those of other countries. The aspects of these mountains and rivers could scarcely have presented an unsurmountableness calculated to overawe or stagger the minds of the people, although doubtless in the early stages these outstanding features of the country had some effect upon the feelings of the inhabitants. The rolling and raging waves of the sea, the rocks, and torrents streaming down the mountains, the storms and mists, have all been considered as suggesting and intensifying the superstitions of the Scots.<sup>6</sup> It seems to me that the influence of these natural agencies on the peculiar characteristics of Scotch superstition have been greatly overdrawn. There were many other ways in which their superstitions might have arisen, even supposing that the Scots had any superstitions essentially peculiar to themselves.

In relation to the understanding, on the other hand, the influence of the mountains and hills, the rivers, the lakes, the firths, and the sea, on the mind and daily life of the inhabitants, is clearly manifested. This will appear on all sides as we proceed with their history. The hills and elevated rocks were selected as the appropriate sites for strongholds; and the lakes were utilised for a similar purpose. We find the banks of rivers, the heights near the side of an estuary, and the elevated positions in the vicinity of the sea shore, all chosen with remarkable sagacity as the fittest sites for the habitations of communities. Here we can trace with something like precision the co-relative action of external nature on the understanding of man; here we can see him picking out the spots best suited for his purposes, and exerting that faculty which has enabled the human race to obtain an undisputed supremacy upon the earth.

### SECTION III.

#### *Historic Interpretation—Ethnological Problem.*

I. Whether man was originally descended from some species of

<sup>6</sup> Buckle's *History of Civilisation*, Vol. II., p. 181; Burton's *Criminal Trials in Scotland*, Vol. I., pp. 240-243.

extinct or still surviving apes,<sup>7</sup> does not come within the scope of my subject. But to render my principle of historic interpretation clear, it is necessary to make a brief statement. Man from the beginning of his career upon the earth has been in possession of his physical organism, his external senses, and his psychical faculties. Although in the early stages his mental powers were undeveloped, still he had the use of his external senses and the capacity of thinking, however, limited his views might have been. For in the order of human development thought necessarily preceded language, and always has preceded it. In spite of the opinion of an eminent writer, who has asserted and reiterated that thought and language is absolutely identical, a notion well calculated to introduce confusion into the subject.<sup>8</sup> In nature and reality, if thought had not preceded language, the rational origin of language itself would be inconceivable. Is there not evidence recorded of individuals, who have thought much without using articulate language? I have observed an infant of three months old manifest distinct evidence of memory in relation to inanimate objects. I have also observed infants of eighteen months, who had a clear idea of the relation of cause and effect, and showed a wonderful

<sup>7</sup> "My own theory of the matter, however, is slightly different from this. For, while accepting all that goes to constitute the substance of Mr. Darwin's suggestion, I think it almost certain that the faculty of articulate sign-making was a product of a much later evolution, so that the creature who first presented this faculty must have already been more human than ape like. This *Homo alius* stands before the mind's eye as an almost brutal object, indeed, yet still erect in attitude, shaping his flints to serve as tools and weapons, living in tribes or societies, and able in no small degree to communicate the logic of his receipts by means of gesture-signs, facial expressions, and vocal tones. From such an origin the subsequent evolution of sign-making faculty in the direction of articulate sounds would be an even more easy matter to imagine than it was under the previous hypothesis. Having traced the probable course of this evolution, as inferred by sundry analogies; and having dwelt upon the remarkable significance in this connection of the inarticulate sounds which still survive as so-called 'clicks' in the lowly formed language of Africa; I went on to detail sundry considerations which seemed to render probable the prolonged existence of the imaginary being in question—traced the presumable phases of his subsequent evolution, and met the objection which might be raised on the score of *Homo alius* being *Homo postulatus*." *Mental Evolution of Man*, by G. J. Romanes, M.A., LL.D., p. 429, 1888. This volume is part of an attempt to strengthen the theory of evolution, by showing how the psychological barrier between man and the brute may be overcome. The effort is carried on with vigour and considerable ingenuity.

<sup>8</sup> *Gifford Lectures*, pp. 24, 356, 406, by Max Müller, 1888.

power of reasoning and a spirit of inquiry. It is the internal psychical capacity of the mind-thinking power, which renders language itself possible. In the early stages of the human race it is certain that man did think hard and long too — thousands of years before he had even a very limited vocabulary of articulate speech ; and we know that alphabets and written languages were only of comparatively recent origin. Instead of language being absolutely identical with thought, it is merely an instrument for the expression and communication of thought, and an instrument to some extent fortuitously formed, as is shown by the multitude of different languages ; and even the most highly developed ones are inadequate to express the infinite combinations and relations of thought.

From the historic standpoint, languages may be called the products of social organisation. Thus different tribes, communities, and nations originate and develop languages in harmony with their special circumstances, social state, and stages of civilisation. The evolution of language everywhere is partly a natural and partly an artificial process, springing out of the growth of the varied organisations, states of society, and human culture ; and hence the multiplicity and diversity of languages throughout the world.

But the laws of thought are not dependent on language, or necessarily identical with any form of speech. Thought can create mere arbitrary signs, such as the formula and symbols used in science, which in themselves have no meaning until the mind and the laws of thought assign to them ideas, powers, and so on, which represent quantity and quality and explain the infinite relations of the universe. But, excepting Max Müller, did any one ever assert that the symbols themselves were identical with the ideas, thoughts, and reasonings involved in mathematics, astronomy, and chemistry ?

In the earliest stage of society man's thinking faculty appears to have been comparatively narrow, owing to his limited experience. Still it is an indispensable requisite of a historic principle of interpretation to take account of the inner psychical faculties of man as a factor in the origin of the first stage of society, in the subsequent creation of historical conditions, and throughout the entire development of civilisation. The psychical characteristics of tribes are more important than their physical peculiarities, and when both sides of these characteristics are strongly marked, they tend to make new historical conditions, to produce relative changes, and thus advance civilisation. There is little progress in human society until a series

of intersective relations arise and begin to operate and affect the positions and circumstances of tribes, and then onward and progressive movements gradually proceed.

In the interpretation of the prehistoric ages and early culture the first requisite is a just conception of human nature, to recognise the natural rights of all communities, and human rights, wherever there is evidence of their existence. For it must be remembered that there has been an almost perpetual tendency among the more powerful peoples to cruelly oppress the weaker and less fortunate communities.

Touching the investigation of the remains, relics, and the phenomena of a people in a given area, the first question is, what are the facts? The relation of such facts as can be ascertained, and their meaning, have to be explained. Following the natural course of development in Scotland, we find a people using stone and taking the materials within their reach, adapting them to suit the ends and circumstances of their daily life. Associated with this people and their stage of culture we find a series of remarkable structural remains which demands the greatest care and discrimination to interpret, owing to the remoteness of the period and the very imperfect knowledge of these people now obtainable. Explanations of unfamiliar phenomena are often apt to be wrong, unless when carefully made, and only relevant points admitted as evidence.

Proceeding down the stream of time we find a people using bronze, and manufacturing their weapons and implements in this material. They developed a culture which is specially connected with the products of this industry, and they occasionally adorned their persons with fine ornaments of jet and gold. This people erected stone circles in which they placed the remains of the dead, and they also erected unchambered cairns over the remains of the dead. But there is an overlapping of the bronze and iron periods, which causes difficulty in the sequent arrangement of certain classes of remains, and in such cases I have endeavoured to make the best use of circumstantial evidence. In Scotland there is a remarkable overlapping of all the three stages of stone, bronze, and iron; and, therefore, though bronze and iron implements may be found associated with the earth houses and the crannogs, it does not follow that their origin and period of occupation should be assigned to the iron age.

The discrimination and estimation of historical evidence, and prehistoric evidence in particular, is a difficult and arduous task. In estimating prehistoric evidence great care and caution is requisite,



since owing to the imperfect character of the materials on which to form a direct conclusion, recourse to inference is tried : and many of the inferences which have been drawn in this department rests on no sufficient evidence ; the merest shadow of analogy, far fetched instances from some other quarter of the globe—utterly inapplicable to the point in hand, some allusion or conjecture found in Greek and Roman literature, have been often adduced as evidence, which it is heresy to question.

Even written materials, and national documents, when viewed as matter of historical evidence, must be discriminated, and their value estimated according to circumstances and the characteristics of the times to which they belong. Thus, surrounding circumstances is always an element of more or less value in estimating every description of historical evidence.

Strange as it seems, the intelligence of mankind has often been in advance of their means. This appears to have been the case in the earlier stages of human progress. Even now intellect is in advance of the means of attainment amongst the highest civilised nations. This is the case in physical science generally ; and when we look at ethical and social science, it is plain that intellect is far ahead of the means of attainment. For instance, it is well known that unequal and defective laws produce disastrous results. So the difficulty in this lies not in the want of knowledge, but about the most efficient remedies, and the most effective means of applying them to remove the evils. On these points men hold different opinions, and so the evils continue. Such has been more or less the experience of mankind from the dawn of consciousness to the present hour. Man knew about many things long before he could command the requisite means to accomplish them ; and therefore the mere wrecks and fragments of the handiwork of prehistoric peoples are not a complete index of their intelligence and powers. This has to be taken into account in our interpretation, and in our final estimate of the culture of such peoples. We can easily realise that similar difficulties, and much greater ones, beset our early ancestors, than those which still beset many of our own efforts.

But the description of prehistoric objects would have little interest, unless we knew about the people who produced and used these things in their daily life, something touching the race then inhabiting the country, and whence they came. To this question I will now turn.

II. For long it was the fashion to fix the cradle of the human race somewhere in the centre of Asia. It was said, that all the early movements of mankind were always from the East to the West : that all the migrations of the tribes which had peopled Europe, came at intervals in successive hordes from the East. It was also said, that the progress of civilisation had followed the sun from the East to the West. In the first edition of this volume (1877) I ventured to make the following statement :—"Touching the idea so generally embraced, that the early invasions of Europe have always been from the East to the West, I confess that I cannot see the necessity for this assumption. Its wide prevalence is probably largely due to long fixed habits of thought. Why should the central region of Asia be deemed the cradle of the human race ? This does not relieve the problem of any of its difficulties. It is just as easy to conceive man originating in one place as in another ; in the heart of Africa, America, or Europe, as in Asia, especially as the race had spread over all these quarters of the earth long before we have any records. What can all our science tell us about the spot where man first came into existence ? Imaginary theories are swiftly formed on a point of which nothing is known. There is little or no philosophic ground for this Eastern origin of the race ; and it is vain to cover our ignorance in the garb of knowledge." The only semblance of a reason for imagining that the centre of Asia was the cradle of the race, is the assumption that it was warm in this region, and therefore primitive man could easily have lived and multiplied there ; but of course we cannot know whether it was warm or not at the period of man's first appearance on the earth.

Recently vigorous attempts have been made to shift the cradle of the great Aryan race from the centre of Asia to Europe. In the early part of this century comparative philology gave currency to the relationship of the far-spread family of Aryan languages. Then shortly after a theory was formed to the effect that these allied languages had all originally sprung from a clan somewhere located in Asia, in Bactria, or the banks of the Oxus. But it is now strongly contended that Europe was the centre in which the ancestors of the Aryan race first saw the light, and that there is no Aryan race in the same sense that there is an Aryan language, and that the question touching the origin of the Aryans can only refer to the ethnic affinities of those various races which have acquired Aryan speech. The real problem is among which of these races did Aryan language arise,



and where was the cradle of that race?<sup>9</sup> This is not likely to be soon solved.

Amongst the causes which tended to discredit the Asiatic origin of the Aryans may be mentioned the evidence of the antiquity of man presented by geology, prehistoric investigation, anthropological study, and craniology. From the results obtained in these branches of inquiry, it became apparent that man in Europe was the contemporary of the mammoth, the reindeer, the musk-sheep, lion, elephant, bear, and other animals, which are either locally or wholly extinct. It further appeared that man had inhabited France and the south of Britain at the close of the quaternary period.<sup>10</sup> When this was at last recognised, views of man and traditional notions which had long prevailed began to recede into the region of delusion. It was then asked whether there was any real evidence of these great successive migrations from Central Asia? "Is there any reason for supposing that the present inhabitants of Europe are not in the main the descendants of the neolithic races whose rude implements fill our museums? If not, what has become of these primitive peoples?"<sup>11</sup> After it had been shown that the skulls of the primitive inhabitants

<sup>9</sup> *The Origin of the Aryans*, by Isaac Taylor, LL.D., p. 7, 1890. J. G. Rhode first advanced the theory that central Asia was the cradle of the Indo-European race, and based his arguments mainly on geographical indications. Pott's argument is founded on the notion that "the path of the sun must be the path of culture." *Ibid.*, pp. 9, 10. Hegel also strongly maintained that the spirit of humanity, in its historic manifestation, followed the course of the sun from the east to the west, and at last culminated in the German nation, which being interpreted meant in himself—in his own system of philosophy.

In 1848 Jacob Grimm enunciated the theory that—"Few will be found to question that all the nations of Europe migrated anciently from Asia," and so on. In 1859 Max Müller adopted Grimm's theory, and superimposed on it a fine flowing poetic strain, which captivated multitudes of people. The same year Pictet published the first volume of his *Origines Indo-Européennes*, in which he presented an elaborate theory of the successive Aryan migrations from Central Asia. He brought the Celts south of the Caspian and through the Caucasus to the north of the Black Sea, and then up the Danube to the extreme west of Europe; and the Greeks and Italians by a route, south of the Caspian, through Asia Minor to Greece and Italy; while the Slavs and Teutons marched north of the Caspian through the Russian steppes. Taylor's *Origin of the Aryans*, pp. 11-12.

<sup>10</sup> *Prehistoric Europe*, by J. Geikie, LL.D., pp. 19-23, 74, 89, 92, *et seq.*, 114, 360, 378, 544-556; *The Ancient Stone Implements, Weapons, and Ornaments of Great Britain*, by J. Evans, pp. 430-462, 578-621.

<sup>11</sup> Taylor's *Origin of the Aryans*, p. 19,

of central France were of the same type as those of the present inhabitants, and that the skulls of the Spanish Basques belonged to another neolithic type, and similar results obtained in Denmark, Britain, and Eastern Europe, the logical conclusion from such facts seemed clear.<sup>12</sup>

It was seen that the Aryan languages must either all have originated in Europe, one member, the Indo-Iranian, separating from the rest and migrating to its present region, or they must all have originated in Asia, and then migrated severally to Europe, still retaining in their new homes the precise relative positions which their mutual connections prove must have originally existed. Which of the two alternatives is the more probable? That of a single migration, of a people whom we know to have been nomads at no very remote period, or six distinct migrations of six separate peoples, of which there is no evidence that they ever migrated at all, and whose traditions assert that they were aboriginal? <sup>13</sup>

<sup>12</sup> *The Human Species*, by A. De Quatrefages, 1879. This authority says:—"In the quaternary period there is more precise information about man than of several of the existing races. The caves which he inhabited, those in which he buried his dead, and the alluvial deposits formed by rivers which have borne away his corpse, have preserved numerous bones for our study. As many as forty different places in all, especially in the western portion of Europe, have supplied our museums with as many as forty skulls, more or less intact, and numbers of fragments of the cranium and face, as well as a great number of the bones of the trunk and limbs, and even some entire skeletons," p. 287.

"In fossil, as well as in modern skulls, we find between races and individuals oscillations of a more or less striking character. Although these are often of less extent in known fossil races than those observed in existing populations." *Ibid.*, p. 293.

"In all fossil races we find the essentially human character of the predominance of the cranium over the face. With them, as with us, the bony framework which contains the brain becomes longer, narrower, or shorter, at the same time increasing in size; it rises or is flattened, but always possesses a capacity comparable to that of the present day." *Ibid.*, p. 295.

"We admit, then, two dolichocephalic races—those of Constadt and of Cro-Magnon. The more or less brachycephalic races are four in number. Under the name of Furfooz races we have included two races discovered in that famous locality, (the valley of the Lesse, in Belgium). The Grenelle race (name of a place near Paris) and that of La Truchere also take their names from the localities where they were found." *Ibid.*, p. 301. He gives many interesting details of these several races, but the evidence on which some of the details rests does not come up to my standard.

<sup>13</sup> Taylor's *Origin of the Aryans*, pp. 22-23.

According to Dr. Schrander two positions are settled—that from the earliest period of which there is evidence we find Asiatic Aryans on the Jaxartes, and the European Aryans in Northern Europe. He maintains that not a shred of evidence has been adduced to show that any migration of the European Aryans from the East ever occurred. At the earliest period the European Aryans seem to have been moving toward the south and the south-east; and he has now finally placed the main original home of the Aryans on the Middle Volga where it is joined by the Sanna.

As yet, however, there is not a concurrence of view among scholars and inquirers, some holding that Central Europe was the original cradle of the Aryans, others Eastern Europe, and some Northern Europe. The problem itself has often been discussed with needless heat. French and German scholars range themselves on opposite sides, and each representative of the two nationalities vehemently contends in turn that his ancestors alone were the pure primitive Aryans.<sup>14</sup>

Dr. Taylor has presented the following conclusions:—"The four European types of race may be traced continuously in occupation of their present seats to the neolithic period; and in the case of the

<sup>14</sup> Posche writes thus:—"The true scientific theory, which uplifts itself calm and clear, like the summit of Olympus, over the passing storm-clouds, is that a noble, fair-haired, blue-eyed people vanquished and subjugated an earlier race of short stature and dark hair. In opposition to this is the French theory, without scientific foundation, originating in political hatred, which asserts that the primitive Aryans were a short and dark people, who Aryanised the tall, fair race." *Die Arier*, p. 44.

M. Chavée maintains that the mental superiority lies with the other race:—"Look at the beautifully formed head of the Iranians and Hindus, so intelligent and so well developed. Look at the perfection of those admirable languages, the Sanscrit and the Zind. The Germans have merely defaced and spoilt the beautiful structure of the primitive Aryan speech." Again, Ujfalvy remarks: "If superiority consists merely in physical energy, enterprise, invasion, conquest, then the fair dolichocephalic race may claim to be the leading race in the world; but if we consider mental qualities, the artistic and intellectual faculties, then the superiority lies with the brachycephalic race." Another Frenchman, De Mortillet, in his *Le Préhistorique*, strongly maintains that the civilisation of Europe is almost entirely due to the great brachycephalic race.

The German writers further argue, "That while the peasantry and middle classes over the greater part of Europe are brachycephalic, the nobles and landed proprietors approximate rather to the long Teutonic type. This, they say, is a proof that a brachycephalic aboriginal people was conquered and Aryanised by Teutonic invaders," *Origin of the Aryans*, pp. 227, 229.

Italic and Swiss pile dwellers, and the round barrow people of Britain, we must believe that their speech in neolithic times was Aryan—either Celtic or Italic. We are, therefore, forced to adopt the view that one of the four races must be identified with the primitive Aryans, and that this race, whichever it was, imposed its Aryan speech on the other three. It is most reasonable to believe that the Aryan civilisation originated with the broad-headed race of Central Europe, which possessed the skill to construct, with rude stone tools, the pile dwellings of Switzerland and Italy. And on archæological grounds we have come to the conclusion that the Slavo-Celtic race, as represented in the round barrows of Britain, and in the pile dwellings of Central Europe, comes nearest to the primitive Aryans as disclosed by linguistic palæontology. Aryan speech may have been evolved out of a language of the Ural Altaic class; the grammatical resemblances pointing to a primitive unity of speech, just as the physical resemblances point to a primitive unity of race. There must have been some ruder form of speech from which the elaborate Aryan inflection was evolved, and there is no other known form of speech, except the Ural Altaic, which can be regarded as the germ out of which the Aryan languages may have sprung. We have also arrived at the conclusion that the Celto-Slavic race best represents the primitive Aryans, whose speech may have been evolved out of a language of the Ural Altaic class. We may, therefore, conjecture that at the close of the reindeer period a Finnic people appeared in Western Europe, whose speech, remaining stationary, is represented by the agglutinative Basque, and that much later, at the beginning of the pastoral age, when the ox had been tamed, a taller and more powerful Finnic-Ugric people developed in Central Europe the inflective Aryan speech.”<sup>15</sup>

Whether the Aryan language was originated in Europe or not, it seems pretty evident that its origin must stretch back to a period at least three or four thousand years before the Christian era. But identity or relationship of language by no means proves identity of race; at the utmost it only raises a presumption in favour of a common racial origin. Language belongs to the organised community, not specially to the race; so it can only prove social contact, not racial kinship, unless where other evidence is available, such as physical characteristics, religious beliefs, similar customs and habits. Tribes

<sup>15</sup> *Origin of the Aryans*, pp. 217, 242, 295-296,



and races sometimes lose their own speech and adopt the tongues of others,—a social phenomena which occurs from various causes operating in the ceaseless evolution of human society.

I have briefly touched on the early inhabitants of Europe, and the questions of the origin of the Aryan race and languages, merely preparatory to the treatment of the ethnology of Scotland. No relics of Palæolithic man have been found anywhere in Scotland.<sup>16</sup> Although such relics, and even fragments of human bones have been discovered in the southern parts of the island, yet it is not usually maintained that these earliest tribes or cavemen survived through the subsequent geological and climatic changes, and continuously occupied the country on to the polished stone age.<sup>17</sup> I now come to the ethnological problem in the limited sense in which it relates to Scotland; but this question cannot be treated at all without reference to the southern part of the island and to the Continent.

The earliest prehistoric race in Britain of whom we have reliable evidence, was a long-headed people of comparatively short stature. Their physical characteristics resembled the Berber race and North African tribes, and they probably migrated from that quarter into Europe at a very remote period. They seem to have spread over the Spanish peninsula, the coasts and islands of the Mediterranean, Sardinia, Corsica, Southern Italy, and a great part of France; but they do not appear to have extended to Germany or the north-east

<sup>16</sup> Geikie's *Prehistoric Europe*, p. 428.

<sup>17</sup> "We have seen that during the last glacial epoch Palæolithic man retreated with the reindeer and its congeners, and occupied the valleys of Southern France. What is his subsequent history? Did he return northwards with the Arctic and Alpine animals to re-occupy the Belgian and English caves in Postglacial times? As a matter of fact, he did not. . . . It is open, of course, to argue that the Neolithic race or races were identical with the Palæolithic tribes, who had somehow acquired a knowledge of husbandry, spinning, and pottery; who had learned to domesticate certain animals, and to finish their implements more perfectly. . . . All this is possible, but, on the other hand, it is so extremely improbable that, until some positive evidence in favour of such a view be advanced, we may well leave it out of account. . . . Other writers are of opinion that the man of the reindeer period in Southern France probably remained where he was, to become absorbed in the new wave of population that swept into Europe at the close of the glacial period. . . . There are certain appearances in some Pyrenean caves, as in that of Gourdan, described by M. Pette, which lead to the suspicion that the interval between the Palæolithic and Neolithic ages in Southern France may not have been prolonged." *Ibid.*, pp. 546, 551-552.

of Europe. They were non-Aryan in race and in speech, and probably spoke Numidian dialects akin to the inscriptions of that character. This race arrived in the south of Britain about the beginning of the polished stone period: and gradually spread over the Island, and even reached the Orkneys.

They appear to have inhabited the Island alone for a very long period. They constructed the long barrows of England: and the chambered cairns of Caithness, Argyle, and Orkney. In Scotland they also seem to have constructed the curious underground structures called earth-houses, as will be shown in the sequel.

The first migration of a race of people of Aryan descent, who spoke a Celtic dialect, came from the Continent of Europe, and arrived on the southern or eastern shores of Britain, long before the close of the stone period. It is almost certain that there were several unrecorded migrations of Celtic tribes from the coasts of France and Belgium to the southern parts of Britain. These tribes spread very slowly over the country, and subdued, and intermixed with the long headed race which had preceded them in the occupation of the Island. The new-comers soon realised the advantage of living on friendly terms with the original inhabitants, instead of attempting to exterminate them; as all the available evidence tends to show that the two races peaceably and slowly amalgamated. The skulls and remains of the two peoples have often been found lying together in the same barrows.<sup>18</sup>

The earlier race, sometimes called Iberians, Basques, and other names, were a short limbed people, only averaging about five feet five inches in height, the tallest of the men reaching five feet six inches, and the shortest of the women four feet eight inches. Their heads were long and narrow, of the type termed dolichocephalic: their physical frame was not strong, though some individuals of the race possessed well developed muscular powers. It is said that they were dark and swarthy in complexion. On the other hand, the newly arrived Celtic tribes were of the brachycephalic type—a people with broad heads and very powerful physical frames; their average height was about five feet nine inches; and the female sex was also tall, very handsome and muscular.<sup>19</sup>

<sup>18</sup> *British Barrows*. By Wm. Greenwell, pp. 126-129, 559-632.

<sup>19</sup> *Ibid.*, pp. 559-632, 680, 682, *et seq.* Strabo, when speaking of the inhabitants of the interior of Britain, says of the Coritavi, a tribe in Lincolnshire:—  
“The men are taller than the Celts of Gaul; their hair is not so yellow and



The Celts imposed their Aryan speech on the aboriginal race, and became the ruling people.<sup>20</sup> They formed themselves into strong but separate tribes. Owing to a number of natural causes and circumstances, the movement of the Celtic people into the interior of the country, northward and westward, was extremely gradual and slow : —1, They had to come to an understanding with the original inhabitants as they advanced, even though there was little fighting ; 2, A large part of the country was then covered with swamps, fens, and dense forests ; 3, The natural barriers of rivers and firths which often overflowed their valleys, and of mountain ranges ; 4, The difficulties connected with procuring a sufficient supply of food ; and 5, The difficulties of protecting themselves from the severe colds and frosts, as the climate was much colder than the sunny region which they had left. Taking these conditions and circumstances into account, which must have greatly impeded the onward and outward movement of the Celts in overrunning the Island, we may reasonably assume that from the time the first Celtic tribes landed in the south of England, to the time when they reached the quarter now called Scotland, at least a century had elapsed. After they had crossed the borders, it must have taken more than another century to overrun Scotland and reach the extremities of the northern Highlands. If we recall the fact, that it took the Romans with all their resources, appliances, and disciplined legions, upwards of forty years to conquer their way from the South of England to the Firth of Forth, we will easily realise the probable truth of what has just been indicated.

As I have said, there were probably several unrecorded migrations or invasions of Celtic tribes from Gaul or Belgium into Britain. The result of this would have been a continuance and an intensification of the onward and outward movement of the people; and ultimately the

their limbs are more loosely knit. To show how tall they are, I may say that I saw myself some of their young men at Rome, and they were taller by six inches than any one else in the city." Elton's *Origins of English History*, p. 240, 1882.

<sup>20</sup> Some recent writers have in a half-hearted way maintained that one of the prehistoric races of Britain was of a Finnish type from the Baltic region ; but there seems to be a lack of evidence to support this view. See *Origins of English History*, by Elton, pp. 126, 144, 151, 160, 167-179. The evidence adduced by this writer in support of the Finnic origin of the men of the Bronze age in Britain is altogether unsatisfactory, and indicates a lack of knowledge touching the conditions of the prehistoric ages.

creation of real historical conditions, which in turn and in process of time, would account for all the varieties of Celtic language in the British Islands.

At a much later period, and after the foundation of the Gaulish empire in the sixth century B.C., invasions of Britain from the Gaulish territories took place. About the end of the second century B.C., the King of Soissons had extended his sway over a portion of southern Britain; and those Gaulish people, who came over during the later period, settled along the southern and eastern shores of England, and carried on a commercial traffic with their kindred on the other side of the Channel. But they did not then penetrate far into the interior of the country. In 58-50 B.C. Cæsar conquered Gaul; and in 55-54 he twice attempted to conquer Britain but failed; and nearly a century elapsed ere the Romans made another effort to conquer the Island.

Thus, at the opening of the Christian era, the whole area of Scotland was inhabited by people speaking an Aryan language—called Celtic. But this people themselves, as we have seen, were not a pure Celtic race; on the contrary, they had intermingled with and absorbed that original short-stature and long-headed race, whose blood runs in their veins more or less to this day. The same may be said of the whole of England, excepting the narrow strips along the southern and eastern shores which had been colonised by the later migrations and invasions of the Gauls. I must now turn to Ireland and its early inhabitants.

Into the maze of Irish ethnology and endless legends I cannot enter at length, but it is necessary to state a few facts. Ireland was inhabited in the Stone age, and probably by tribes akin to the short stature people which we have found occupying Britain. Celtic tribes migrated to Ireland at a very early prehistoric period, either from the Continent or from the southern shores of Britain. This Island was not invaded by the Romans, and consequently its early inhabitants were permitted to follow their own course of development uninterrupted by external interference till a much later period than Britain. The population of Ireland seems to have multiplied rapidly, and became crowded at a comparatively early period; and they began to molest the western shores of Britain in the early centuries of the Christian era. Migrations from Ireland to the western parts of Scotland became frequent; and an intercourse based on ethnic affinities sprung up between the two countries. The details of this connection will appear in the sequel.

About the seventh century the Scandinavians began a movement through the ocean towards the Shetland and Orkney Islands, and onward to the northern quarter of Scotland, which they ultimately reached ; and hence became an element of the ethnology of Scotland. This movement will be detailed in the subsequent narrative. The Angles or Saxons reached the southern borders of Scotland about the middle of the sixth century, and settled in Lothian. Their subsequent movement and intermixture with the earlier inhabitants, and the gradual spread of their language, will be treated at length in the sequel. The last ethnic influx was the Norman Invasion ; and in so far as it effected Scotland, it will be specially discussed in its appropriate order.

The origin and the consecutive relations of the constituent elements of the ethnology of the people of Scotland as briefly indicated in the preceding pages, may now be summarised:—1, The aboriginal people were a race of short stature, with long narrow heads ; 2, They were invaded and subdued by a taller and broad-headed race, of Aryan descent, and speaking a Celtic dialect, and ultimately these two races amalgamated ; 3, At a later period, Gaulish tribes settled on the south and south-eastern shores of England ; 4, Migrations from Ireland, of tribes speaking Celtic, to the western parts of Scotland, began early in the Christian era and continued for several centuries ; 5, The movement of the Scandinavians to the Shetland and Orkney Islands, onward to the Western Isles and the northern mainland of Scotland ; 6, The invasion and settlement of the Saxons in the south of Scotland ; 7, Finally, an influx of Norman nobles. Such simply stated, were the real ethnological elements out of which the Scottish nation was ultimately developed. Thus the subject is freed from a mass of legends and the obscuring accretions of many generations.

#### SECTION IV.

##### *The Stone Age.*

In this section and the following one, an attempt will be made to indicate the state of the inhabitants in the earliest times. Although the relics, implements and structures, which they have left, may not always be available for eliciting clear information, still these remains when well sifted yield valuable results. In such an expository narrative, touching prehistoric matters, dates can rarely be assigned ; but

the natural sequence of development may be followed, and several stages of early civilisation explained.

Beginning with the group of things which may safely be assumed to have been an indispensable requisite in the circumstances of the daily life of the people, namely, their weapons, tools, and implements. The greater number of our stone implements and weapons have been casually found in the ground, in draining, ploughing, making roads, in peat mosses, the beds of rivers, on the margins of lochs, and on the sandy wastes near the sea shore. It must be observed that all these stone tools and weapons are not strictly assignable to the stone age, for such stone objects are sometimes found in bronze age graves, and in association with many other circumstances, which clearly indicate a survival of some kinds of stone objects and implements into a much later period. Moreover, various kinds of stone implements seem to have continued in use long after the introduction of bronze.<sup>21</sup> So far as investigation has been made, there appears to be almost universal evidence of a stone age over the globe at one time or another, which shows that the early culture of the human race has proceeded on wonderfully similar lines in the most distant regions of the earth. On the other hand, there is often no satisfactory evidence of the same wide and distinct character of a passing from the stone age and through the bronze age. But the causes of this are easily understood, and will become clear as we proceed.

The stone weapons, tools, and objects, which have been found in Scotland, may be separated into several groups, according to the purposes for which they were used : such as axes, spear and arrow heads, knives, saws, borers, and scrapers.

Axes, including hammers, are of two kinds, those with a hole for a shaft and those without a hole, and the first class is not so numerous as the other. The axes with a hole for a shaft present a greater variety of form, and are often ornamented, while the others are plain.

<sup>21</sup> " Sir William Wilde informs us that in Ireland stone hammers, and not unfrequently stone anvils, have been employed by country smiths and tinkers in some of the remote country districts until a comparative recent period. The same use of stone hammers and anvils for forging prevails among the Kaffirs of the present day. In Iceland, also, perforated stone hammers are still in use for pounding dried fish, driving in stakes, for forging and other purposes." Evans' *Ancient Stone Implements*, p. 11, 1872. For other instances of the use of stone for various purposes in the Shetland and Orkney Islands, see *Past and Present*, by Dr. A. Mitchell, pp. 121-129.



They are rarely made of flint, but often of granite, schist, basalt, greenstone, and other kinds of stones. They vary much in size, and are distinguishable into three varieties, thus: 1, those with an edge at both ends; 2, with an edge at one end only; 3, with both ends blunt or rounded. Those with an edge at both ends are the rarest of the three forms. A fine specimen of this class in greenstone was found in a bronze age grave, in a stone circle, at Crichtie, Aberdeenshire. Other examples have been found in Orkney, and in the Island of Coll, in an unfinished condition. It has been supposed that these stones were used as battle axes.<sup>22</sup>

The second class, with the edge at one end only, is more common. A fine specimen was found associated with a cremated interment in an urn, which was turned up by the plough near Ardrossan, in Ayrshire. It is formed of granite, with an ornamental band of three incised lines round the concave edges pierced by the shaft hole, and the shorter end finished like a hammer with a rounded face. They have been found in every quarter of the country, and often in an unfinished state. The hole for the handle was usually pierced from both sides, so the boring has not always met exactly. They vary much in size and form, and in degrees of finish and polish. The third class, hammer-shaped at both ends, has been called a war hammer. A very fine specimen of it was found in the parish of Urquhart, Elginshire, formed of a whitish flint, and finely polished.<sup>23</sup>

The class of stone axes without a hole for the shaft are very numerous. They vary greatly in size and shape, from 3 inches in length to 15; some of them are of flint, others of different kinds of stone, and many of them are smoothed and polished over the surface. The smaller ones seem to have been tools, which were used for various purposes, but a number of the larger ones, which are more carefully polished and finished, have been considered weapons.

Arrow-heads show two distinct forms—the leaf-shaped and the triangular, and it seems probable that the leaf-shaped class may have been the earliest form. But both forms, with barbs and a central stem, were found in a chambered cairn at Unstan, in Orkney. They

<sup>22</sup> Anderson's *Bronze and Stone Ages*, pp. 306-307, *et seq.*

<sup>23</sup> *Ibid.*, pp. 309-319, 320, 321; Wilson's *Prehistoric Annals of Scotland*, Vol. I., pp. 102-194; *Proceedings of the Society of Antiquaries of Scotland*, Vol. IV., pp. 55, 379; Vol. V., pp. 214, 240; Vol. VI., pp. 42, 86, 310, 332; Vol. VII., pp. 101, 102, 499; Vol. VIII., pp. 264, 232; Vol. IX., pp. 55, 384; Vol. X., p. 460; Vol. XXIII., pp. 205, 210.

are all usually made of flint, and none of them are large ; some of them have barbs but no stem, others have barbs and stems both. Many of them are beautifully shaped, and some specimens are finely serrated along the edges. Arrow-heads have occasionally been found still in the shaft ; an example of a leaf-shaped one was found in 1875 in a moss at Fyvie, Aberdeenshire, with the shaft entire to the length of nine inches. The arrow-heads and spear-heads differ from each other only in size.<sup>24</sup> A very large collection of both arrow and spear heads may be seen in the National Museum at Edinburgh, in provincial museums, and private collections.<sup>25</sup>

There is a series of tools and implements, mostly of flint, which seem to have been used for various purposes in connection with the daily life of the people. These are knives, saws, scrapers, borers, and flaking tools, and we may endeavour to form some idea of the process of their manufacture. The ground-work of all these tools is a flake of flint, struck from a prepared core in such a way that it presents a more or less cross-section. These flakes may be of any length up to six inches, but in Scotland, where it is difficult to find large blocks of flint, the flakes are commonly short. Flakes just as when struck off the core of flint have sometimes been found along with the core itself. Such flakes may be used for many purposes, and many of them show evidence of having been so used without any preparation of the edge. The natural edge, however, soon becomes blunt and broken, so when a cutting tool of this kind was intended for constant use, it was worked along its edges and trimmed to a point resembling a shoemaker's knife, or of a somewhat oval form. Many flint knives, trimmed for cutting or scraping, have been found throughout the country, some of which are single-edged and others double-edged. But knives, formed of various kinds of stone, have frequently been found, of slatestone, greenstone, schist, and other stones, flat, well-made, and highly finished.<sup>26</sup>

<sup>24</sup> Anderson's *Bronze and Stone Ages*, pp. 354-365.

<sup>25</sup> There are upwards of thirty provincial museums in Scotland, which have collections of Scotch antiquities both in stone and bronze, more or less extensive and valuable. Reports on these collections may be seen in the twenty-second volume of the *Proceedings of the Society of Antiquaries of Scotland*.

<sup>26</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. III., pp. 252, 439 ; Vol. VII., pp. 121-136, 212-219 ; Vol. VIII., pp. 64, 66 ; Vol. XI., pp. 172-174 ; Anderson's *Bronze and Stone Ages*, pp. 365-371.

Dr. Evans, perhaps the highest authority on stone tools and implements in Britain, has the following on flint flakes :—"The inner or flat face of a flake is



A flint saw is simply a flake trimmed to a jagged edge, instead of being sharpened by chipping or grinding. They are mostly of very small size, and in some specimens the teeth are formed with remarkable regularity and fineness. Though not so common as flint-knives, they are not rare, and there are upwards of sixty specimens in the National Museum.<sup>27</sup>

Flint tools, seemingly intended for awls or borers, are not very common in Scotland. Two kinds have been found—a long-pointed tool, which may have been used for piercing holes in skins or other soft material, and a shorter-pointed tool which may have been used for drilling holes in harder material. Another class have been called flaking tools; they are long and chisel-shaped, and usually appear blunted, worn, and rounded at the ends, as if from attrition against a hard substance. They are supposed to have been used for trimming and chipping other flint and stone tools. The tool called a flint-scraper is a round-nosed flake, with a semicircular end chipped to a bevelled edge, and usually flat on the under side, with the upper side trimmed to a ridged form. There are several varieties of this tool, and they seem to have been used for various purposes. Some of them are double-edged, others circular; and they also vary much in size. There seems to be no doubt that the larger ones were used for scraping hides and preparing leather. It also seems highly probable that the smaller class of these tools were used for a distinctly different purpose—that of producing fire with a nodule of pyrites of iron—in the same way as the flint and steel in our own times to strike a light.

that produced by the blow which dislodged it from the parent block, core, or nucleus. The outer, ridged, or convex face comprises the other facets. The base, or butt-end of a flake, is that at which the blows to form it were administered, the other end is the point. Flakes may be subdivided into—1. External, or those which have been struck off by a single blow from the edge of a nodule of flint. Many of these are as symmetrical as those resulting from a more complicated process of manufacture. 2. Ridged flakes, or those presenting a triangular section. One face of these sometimes presents the external crust of the flint; in others the ridge has been formed by transverse chipping, as was the case with the long flaxes of Pressigny, but this method appears to have been almost unknown in Britain. 3. Flat, where the external face is nearly parallel to the internal, and the two edges are formed by narrow facets. These several varieties may be long or short, broad or narrow, straight or curved, thick or thin, pointed or obtuse.” *Ancient Stone Implements*, pp. 248-49.

<sup>27</sup> Anderson's *Bronze and Stone Ages*, p. 372.

For the purpose of producing sparks, pyrites is as effective as iron, and they were so used among the Romans until a comparative late period. Pyrites of iron abound in the chalk-beds of England, but when they are exposed upon the surface of the ground decomposition in no very long time removes all appearance of them.<sup>28</sup>

Flint is nowhere very abundant in Scotland, but there are some localities which afford transported nodules in greater abundance than others, and in these there is always evidence of a long-continued and widespread industry in the manufacture of tools and weapons from the raw material. A site of such a manufacture was discovered at the confluence of the Leochel and the Don in Aberdeenshire, though flint is not native in the neighbourhood.<sup>29</sup> There is evidence of many such sites of flint manufactures, which, when closely examined, the mass of splinters "usually reveals the fact that among them are many flakes, cores, and unfinished implements, and not unfrequently hammer and anvil-stones, and even perfectly finished knives, saws, arrow-heads, or axes, may be occasionally found, although the rule is that only the waste products of the manufacture are met with. From these and from experimental knowledge of the qualities of the material the processes of the fabrication may to some extent be inferred. The tools were apparently, for the most part, naturally formed pebbles of quartz of a shape and size convenient for the purposes for which they were used. The larger pebbles, often of the shape and size of a cobbler's lapstone, seem to have been used as anvil-stones, while the smaller pebbles, of such size and shape as could be conveniently grasped in the hand, have been used as hammer-stones."

"When the inferences deduced from an examination and comparison of the chips, flakes, and cores, which compose the refuse of these ancient flint workshops, are compared with the results of the methods still employed, whether of savage arrow-makers or civilised manufacturers of gun-flints and strike-a-lights, the ancient methods of workmanship are found to coincide with the natural properties of the material and the modern processes so far as they go. But the ancient flint-workers went further than modern knowledge and modern skill can follow them, There are some of their processes which have not been discovered by modern science, and some of their

<sup>28</sup> Anderson's *Bronze and Stone Ages*, pp. 373-376; Evans' *Ancient Stone Implements*, etc., pp. 269-287, 367, *et seq.*

<sup>29</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. IV., p. 385.

products which cannot be imitated by modern skill, with all its ingenuity of contrivance and all its resources of means and appliances." <sup>30</sup>

In this very brief account of the weapons, implements, and tools, of our early ancestors of the stone age, we can discern clear evidence of the knowledge, the ingenuity, and the skill which they possessed and exercised in the practical uses which they made of the means within their reach. These products of their industry, associated with their daily life, shows one side of a striking form of culture, considering the surrounding conditions and circumstances. There is another side of this culture, in some respects even more remarkable, and to it I will now turn.

Amongst all the prehistoric remains of Scotland there is scarcely anything that surpasses the Chambered Cairns of the Stone Age in significance and interest. Their great antiquity, their peculiarity of type, and their structural characteristics, associated with the phenomena of their internal deposits, offer a subject for examination of prime historic value. There is little doubt that the Long Barrows of England, and the Chambered Cairns of Caithness, Argyle, and Orkney, are the monuments of one and the same people; and that in the latter, so far as we can discover, we reach the representative of primeval man in Scotland.

Both the long and the short horned cairns of Caithness differ widely from those of the Bronze Age, and from those of all later periods. Their structural type is distinguished by two characteristics, namely: 1, by having an internal chamber accessible by a passage; 2, by having a regular external outline on the ground-plan, structurally defined by a double or single retaining wall. During the last thirty years a considerable number of them have been excavated and carefully explored; and I cannot do better than reproduce briefly a description of a few typical examples, and then present some details of their internal contents.

The external dimensions of some of the horned cairns are very great. On the crest of a hill overlooking the south end of the loch of Yarhouse, in Caithness, there are two cairns of great magnitude not far from each other. They lie across the hill from east to west, and have at both their ends curved horn-like projections, falling

<sup>30</sup> Anderson's *Bronze and Stone Ages*, pp. 374-5; Evans' *Ancient Stone Implements*, etc., pp. 13-48.

gradually to the level of the ground. The length of the longest one was two hundred and forty feet, the breadth at its eastern end was sixty-six feet, and at its western end thirty-six feet; but the curved horns expanded so that the line across their tips at the eastern end was ninety-two feet, and at the western end fifty-three feet. The height of the cairn at the east end was twelve feet, sloping gradually to below five feet at the west end. When the loose stones were removed from the upper part of the highest end, a chamber with a passage leading into it was disclosed. The outer opening of the passage was in the middle between the projecting horns; and two flat stones placed on end,  $2\frac{1}{2}$  feet high, formed the door jambs on the outside of the entrance. A well built passage two feet wide runs inward for ten feet, and where it opens into the chamber, two stones similar to those at the outside entrance, but higher, are set on end, and form a doorway of eighteen inches wide. The chamber itself is small compared with the external magnitude of the cairn; and it only measured twelve feet in length from front to back, and six feet from side to side. The side walls were entire to a height of seven feet, and at this height they began to converge to form a rudely vaulted roof, like the roofs of other erections of dry-built stone. The chamber is divided into three parts by two pairs of divisional stones projecting from the side walls opposite to each other; these stones are undressed flags sunk on end into the floor, and leaving about two feet between their edges. When the explorers had cleared the three compartments of the chamber and ascertained its construction, seeing that the chamber did not occupy more than a twentieth part of the length of the cairn, they thought that other chambers would be found within it. The centre was then tried, and trials were made all round the cairn, but no other chamber was found in it. The floor of the chamber itself was formed of a dark clay five inches thick, intermixed with ashes and calcined bones, in a state of extreme comminution; this layer was easily detached from the natural subsoil below, and was raised in large cake like masses, each of which was carried outside to be crumbled and searched. No single fragment of bone was discovered exceeding an inch in length; and the few bits which afforded any clear indications, such as portions of teeth and jawbones, were unmistakably human. A number of small flint chips, and two fragments of pottery, were the only manufactured articles found.<sup>31</sup>

<sup>31</sup> Anderson's *Bronze and Stone Ages*, pp. 230-236.



The other cairn closely resembled the first one, and stood about three hundred yards from it. But on the floor of the first compartment of its chamber a cist was placed to the left of the entrance. The cist was formed of slabs; and it was four feet four inches long, twenty inches wide, and nine inches deep to the level of the floor; and in the dark earthy clay inside of it, there was a whitish layer of softened bones in a condition of extreme decay. In the east end of the cist, fragments of an urn were found, and a necklace of small beads of lignite. The floor of the chamber consisted of a layer of clay and ashes over six inches thick, intermixed with burnt human bones, and animal bones; and in the corners of the chamber there were numbers of human teeth, of which the osseous parts had perished, and the enamel of the crowns only remained. About three miles from this cairn, another of the same character lies on the ridge of a height in the Moor of Camster. Its contents presented phenomena similar to the preceding ones. In the loose layer on the surface of the floor of the chamber, a few fragments of skulls and other unburnt bones of the human skeleton were found, mingled with the splintered bones of the horse, ox, deer, and swine. No fragments of pottery, flint-chips, or tools of any kind were found in it.<sup>32</sup>

In a short cairn of the horned class which lies on a small height at Ormiegill, near Ulbster, there were found in its chamber a polished hammer of gray granite, an oval flint knife, and an arrow head, several flint flakes serrated on one side, and a number of well made scrapers. Another of the same class, locally called the Cairn of Get, lies in a hollow among the hills at Garrywhin, near Bruan. Its extreme length is eighty feet, and its greatest breadth sixty feet; the horns project about twenty feet in front, and about fifteen feet behind. On the surface of the floor of the first compartment of the chamber there were four unburnt human skeletons, and the skulls lying close to the wall on the right of the entrance. The skulls appeared to Dr. Anderson "to be fully as well formed as many of the heads to be seen on living men of the present day." In the compacted mass of the floor of the chamber, there were an enormous quantity of human and animal bones, mostly more or less burnt; and with these were intermixed many chips and flakes of flint and fragments of pottery.<sup>33</sup>

There are many chambered cairns in Caithness without the external

<sup>32</sup> Anderson's *Bronze and Stone Ages*, pp. 237-243.

<sup>33</sup> *Ibid.*, pp. 244-249.



peculiarity of horns, oval shaped or roundish ones, some of which have been excavated, and the internal characteristics of their structure are similar to that of the preceding ones. On the crests of the hills of Yarhouse, there were four chambered cairns which the late Mr. A. H. Rhind explored. On the surface of the floors of the chambers he found unburnt bones and pottery, and in the layers burnt bones and pottery, but no flints or tools of any description. Dr. Anderson excavated another cairn on the hill above Bruan, the characteristics of which he considered as forming a connecting link between the Caithness and the Orkney forms of chambered cairns. This cairn was forty feet in diameter and fourteen feet in height, and the passage was ten feet long and two feet nine inches wide at the entrance, where it was three feet high, increasing in width and height inwards to the chamber. The interior differed from that of the preceding ones, inasmuch as it consisted of a principal chamber of two compartments, and also presented the peculiarity of a small side chamber opening off the principal one. The divisional slabs did not rise to the roof, which formed one vault over both the compartments of the chamber. The walls sloped outwards from the base to near the middle of their height, and were then brought inward above the middle by the overlapping of the stones to form a dome-shaped roof. The small side chamber off the principal one, measured four feet by three, and three feet six inches in height. Its floor was formed of a single flag, and on raising it, another flag was found underneath, and under both a layer of clay four inches deep, intermingled with charcoal, ashes, and burnt bones; and under this layer there was a third flag which lay upon the subsoil of the hill. The entire floor of the principal chamber and the inner part of the entrance passage was a mass twelve inches thick of broken and burnt bones mixed with ashes; the human bones were numerous, but so much broken that it was impossible to determine how many skeletons they represented. Amongst the animal bones, those of the horse, ox, red-deer, sheep or goat, and a large-sized dog, were distinguishable. A number of flint chips, a great quantity of broken pottery, amounting to several hundreds of fragments, and an oblong pebble with smoothed ends and sides, and a flat piece of bone three inches long, with a smoothed chisel-like edge, were found.<sup>34</sup>

<sup>34</sup> Anderson's *Stone and Bronze Ages*, pp. 253-260. A group of three cairns at Rhinavie, near Skelpick, in Strathnaver, Sutherlandshire, were examined

As mentioned in a preceding page, the long cairns have been found in many parts of England, in some of the south-western counties, also in Yorkshire, and they are numerous in Wiltshire, Gloucestershire, and Dorsetshire. The long cairns of Caithness "agree with those of England in being, as a rule, placed approximately east and west, also in having one end, and that the east, broader and higher than the other, as well as in other particulars. They are also frequently provided with walls, which enclose and support them, and have sometimes the peculiarity of having what have been termed 'horns.' These are formed by the enclosing walls inclining outwards at the ends and then returning with a curve inwards, making at the point in question a figure something like the conventional representation of the human heart. This curve usually constitutes the mode of approach into the burial chamber when it is placed at the end of the mound. The same remarkable feature is found in some of the long barrows of the south-west of England. The barrow, then (a long one at Upper Swell, in Gloucestershire,) may be taken as a fairly illustrative specimen of the horned variety of Long Barrow—a variety of the tumulus of the non-metallic period which is represented in Caithness, as described by Dr. Joseph Anderson, as well as in the south-west of England, and found to contain there interments similarly arranged, and pottery and implements of similar type and rudeness to those we have found here. . . . This Upper Swell barrow, however, differs from the other horned cairns in Caithness, Wiltshire, and Gloucestershire, in having its grave sunk below the natural surface of the ground, instead of being represented by a chamber with upright slabs for its walls, and placed on the surface and defined by the piling of stones round it."<sup>35</sup> On the other hand, the English specimens of Long Barrows with horns, have the horns at one end only, usually at the widest end; while the Caithness cairns have horns at both ends, and externally this is the chief difference between them. But in the internal arrangements of the chambers there are also, as might be expected, several varying features. The character of the internal deposits in those of England and the North are remarkably similar; the bones of animals of the same species are found in both, and the

by the late Mr. MacKay of Skelpick at the instance of the late Dr. John Stuart; and more recently, they have been described by the Rev. Robert Munro, in the *Proceedings of the Society of the Antiquaries of Scotland*, Vol. XVIII., p. 228, *et seq.*

<sup>35</sup> *British Barrows*, by Wm. Greenwell, M.A., pp. 480, 481, 535-536.

tools and pottery, though not usually numerous in either of their contents, are also similar; but in the south of England the interments in them are mostly unburnt, while in the north of Scotland cremation seems to have been more common.<sup>36</sup>

Having indicated at some length one characteristic type of sepulchral constructions, which prevailed in both divisions of the island, which seems to show that one homogenous race had spread over Britain at a very remote period. The other varieties of chambered cairns can be noticed only in the briefest terms. Farther north than Caithness, in the Orkney Isles, there is a remarkable group of cairns of an exceedingly interesting character; the most notable of these is the chambered mound of Maeshowe. It lies about a mile to the east of the great stone circle of Stennis, and externally it presents the appearance of a mound thirty-six feet in height, ninety-two feet in diameter, and surrounded by a trench forty feet wide, and still in some parts eight feet deep. When it was opened from the top a central chamber was discovered, which measured about fifteen feet square on the level of the floor, and thirteen feet in height to the top of the walls; but the upper part of the wall had fallen in, and its original height may have been about twenty feet. In the east, north, and south sides of the chamber there are three

<sup>36</sup> "The similarity of this pottery, whether found in Caithness, the East Riding of Yorkshire, Gloucestershire, or Wiltshire, is a fact of less doubtful interpretation and greater significance; especially when we couple with it a consideration of the similarity of the weapons and implements, of the similarity of the ground plans of the Scottish horned cairns and of so many of the Gloucestershire, Wiltshire, and Somersetshire long barrows, and finally of the similarity of the skulls from the neolithic tumuli of all these localities. These similarities are the more surprising when we recollect how difficult intercommunication must have been at the period when they existed." *British Barrows*, p. 537. "The occurrence of animal bones is another frequent incident. It is rare indeed to meet with a barrow (where the material is such as to favour the preservation of bone) without a considerable number of them being scattered indiscriminately throughout the mound. . . . For instance, in one at Rudstone, they were literally in hundreds, placed with flint-chippings and shreds of pottery, in a dark-coloured, unctuous layer, which extended throughout the whole area of the mound, on the natural surface of the ground. . . . They may be the remains of food offered to the dead, an observance which has extensively prevailed in many countries and in various ages. They would in this case form part of the practice of the worship of our ancestors, which has been a feature almost universal in the growth of the religions of the human race, and allied always with fear." *Ibid.*, pp. 9, 10.

small openings, at a height of three feet above the floor, which gives access to cells measuring about four feet six inches wide, from seven feet to five feet six inches long, and three feet high. In the middle of the west side of the chamber, the passage leading to the outside of the mound opens; the doorway is four feet eight inches high, and three feet four inches wide, decreasing in height and width as it proceeds outward, and at the external entrance it is only two feet four inches wide. At thirty feet outward from the chamber there are checks for a door, and behind them a recess in one side of the passage, in front of which there was a slab, which might have been used as a door; and from this point inward the passage is four feet four inches high, and three feet three inches wide, continuing thus for twenty-six feet, when it becomes narrowed to two feet five inches by two slabs placed upright to form checks for the inmost door.<sup>37</sup>

The chamber is built of undressed slabs and blocks of the close-grained claystone of the locality, and, although the walls are built without any lime or mortar, the masonry is very neat. "Whoever built it, the chamber of Maeshowe is the most perfect and elegant known to exist in any sepulchre of its class, on this side of the Alps."<sup>38</sup> Dr. Anderson remarks that the indications of its original purpose, and the evidence of its earlier history, probably lay hidden in its floor, "and have not been placed on record either by its earlier or later explorers." From the character of the structure itself, however, he rightly classes it with the Caithness chambered cairns.<sup>39</sup>

At Quoyness, in Elsness, in the Island of Sanday, Orkney, a large chambered cairn was explored in 1867. It lies close to the sea, only a few feet above high water mark; and its size had been reduced by

<sup>37</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. V., pp. 247-252; Wilson's *Prehistoric Annals of Scotland*, Vol. I., p. 67. I was deeply indebted to the late Mr. Andrew Gibb, F.S.A. Scot., of Aberdeen, for particulars about Maeshowe, and suggestions on many other points of our prehistoric annals.

<sup>38</sup> *The Brochs and the Rude Stone Monuments of the Orkney Islands and the North of Scotland*, by J. Fergusson, D.C.L., p. 28, 1877.

<sup>39</sup> Anderson's *Bronze and Stone Ages*, p. 280. It is believed on pretty good evidence that the chamber of Maeshowe was broken open by the Norsemen, in the hope of finding treasure, about the middle of the twelfth century. The walls of the chamber are covered with Runic inscriptions slightly scratched on the stones, comprising, it is said, nearly one thousand letters, and there is no doubt that the inscriptions were made after the breaking open of the mound. See *Proceedings of the Society of Antiquaries of Scotland*, Vol. V., pp. 247-252, 262-278; and Anderson's *Bronze and Stone Ages*, pp. 277-279.



the removal of stones for various purposes before it was examined. It was circular in form, with the entrance to the passage on the south-east side, and the passage was twenty-four feet long, three feet high, and twenty inches wide, covered by flat stones laid across, and slightly widening and increasing in height towards the chamber. The chamber was oblong, and measured twelve feet six inches in length, and five feet six inches wide; the walls still stood to a height of twelve feet, but the roof was gone. Opening off the chamber there were six entrances to six small oval cells, two of which were placed on each of the long sides of the central chamber, and one at each of its ends. The walls of the cells rose with an inward curve to a height of from five to six feet, and then their roofs were closed with flat stones; the largest of these cells was seven feet two inches long, and four feet eight inches wide, and the others somewhat smaller. "At the distance of twelve feet within the external wall there was a retaining wall, within the mass of the cairn surrounding the chamber, similar to that in the cairn at Ormiegill, near Ulbster, in Caithness. The structural characteristics of this cairn thus combine the peculiarities of two local groups: the double external walling defining its circular outlines, and the retaining wall surrounding the chamber, are features of the Caithness group, and the oblong rectangular chamber, with smaller cells opening from its sides, are features of the Orkney group." In the central chamber, and in three of the smaller cells, quantities of unburnt human bones were found; and Dr. Thurnam said of them:—"There are fragments of twelve or fifteen skulls, some male and some female, some of them children or quite young persons; one or two of them have the appearance of being cleft prior to being interred, and the teeth in the lower jaws are much corroded." Two implements of polished stone were found in one of the side cells, and a bone tool seven inches long.<sup>40</sup>

There are other cairns in Orkney of a similar structure. At Quanterness, near Kirkwall, on the north side of the Wideford Hill, there was one a hundred and twenty-eight feet in circumference at the base, and fourteen feet in height. On the western slope of the same hill, overlooking the Bay of Firth, there is another of a similar class, which was explored by Mr. George Petrie in 1849. In its chamber and side cells quantities of the bones of the horse, ox, sheep, and swine, were found, but no human remains were noticed. There are other

<sup>40</sup> Anderson's *Bronze and Stone Ages*, pp. 283-287.



sepulchral cairns in Orkney which show features more closely resembling the Caithness group. On the Holm of Papa Westray, there is a cairn which presented the threefold division of the chamber, so characteristic of the Caithness cairns; and another in the Island of Burray, which was sixty feet in length. On the floor of the chamber of the Burray cairn, the remains of a large number of unburnt human skeletons were found; and ten human skulls were lying in the first compartment of the chamber, near the opening of the entrance passage. Large quantities of the bones of the common domestic animals were identified, amongst which were the skulls of seven dogs. At Ustan, near the Bridge of Waith, Stennis, a chambered cairn which lies on a little promontory projecting into the lake, was recently excavated by Mr. R. S. Clouston. It is round, but it presented the constructive characteristics of the Caithness cairns, except a slight variation in the internal arrangement. A passage two feet wide and fourteen feet in length, led into an oblong chamber of twenty-one feet long, and six feet six inches at its widest part. The chamber was divided into five compartments, by slabs placed on edge similar to the Caithness cairns. The sepulchral deposits in this cairn were almost similar to those found in the chambered cairns of Caithness and Argyle. In the floor of the chamber and the inner part of the passage, a large quantity of unburnt human bones and animal bones were found; and numerous fragments of pottery, supposed to represent about thirty urns, and also charcoal and burnt bones were found. The implements and weapons found in the chamber, consisted of four leaf-shaped arrow-heads of large size, and well formed, and one with barbs and stem of smaller size, a finely made flint scraper, and a flint knife with the edge ground smooth, and a flint flaking tool.<sup>41</sup>

A group of cairns once existed in the plain of Clava, in Strath-nain, a few miles from Inverness. There seems to have been seven

<sup>41</sup> Anderson's *Bronze and Stone Ages*, pp. 287-298. "Taking the Orkney group of chambered cairns as a whole, we find it presenting the same essential characteristics as are exhibited by the groups which have been described on the mainland of Scotland. There is a considerable variation in the arrangement of the chambers, and a strongly marked tendency to a grouping of smaller cells round the main chamber, which may be regarded as a local characteristic peculiar to the Orkney Islands. But with this local peculiarity there are associated instances of the tripartite chamber so characteristic of the northern mainland area, and in several cases the still more characteristic features of the bounding wall and the curved extremities are presented." *Ibid.*, p. 299.

or eight cairns, of these, only two now remain in a condition to show the characteristics of their structure. Complete and accurate ground plans of these have recently been published.<sup>42</sup>

Perhaps it may be thought, that I should offer some explanation of the occurrence of such large quantities of animal bones found intermingled with the human remains in the series of cairn interments, which have been briefly described. This, however, can hardly, as yet, be presented in a satisfactory manner; but some customs and incidents, supposed to have been associated with the funerals of the departed in prehistoric times, may be mentioned. It has been repeatedly asserted that our early ancestors of the stone period were addicted to cannibalism; that at their tombs many human victims, mothers and infants, were sacrificed; and that at their great funeral feasts there was always a general holocaust of human and animal sacrifice. But the evidence adduced to prove the prevalence of these practices among the prehistoric inhabitants of this Island is utterly insufficient. Indeed, much of what has been advanced as evidence of such customs amongst the people of the Neolithic period in Britain, rests upon an unwarranted assumption which assumes this form:—Seeing that in such and such quarters of the globe certain existing savage tribes are addicted to cannibalism, and certain other savage tribes in some other part of the earth practice the custom of human sacrifice; these tribes are in a certain social stage, the stone age people of Britain were in a similar stage; therefore, the stone age people of Britain must have been addicted to cannibalism, and human sacrifice. Funeral feasts were, no doubt common, at which many animals were killed, but that human beings were sacrificed at these feasts in Britain, there is no reliable evidence to prove.<sup>43</sup>

<sup>42</sup> By Mr. J. Fraser, C.E.; see also *Proceedings of the Society of Antiquaries of Scotland*, Vol. XVIII., p. 328, *et seq.*

<sup>43</sup> Sir J. Lubbock, Mr. Bateman, and Dr. Thurnam, have asserted that human sacrifice prevailed in Britain in prehistoric times, and the latter especially, implicitly averred that the stone age people were cannibals, and that even the bronze age people practised human sacrifice. In a paper published in the third volume of the *Memoirs of the Anthropological Society of London*, in 1870, Dr. Thurnam maintained that the people who constructed the Long Barrows of England were addicted to many extremely barbarous customs, and that, “if not addicted to cannibalism, they, without doubt, sacrificed many human victims, whose cleft skulls and half-charred bones are found in their tombs,” p. 76. In the first edition of this volume, published in 1877, I canvassed his evidence for the above assertions, and found it altogether insufficient to sustain his conclusions.

As already indicated, the bones of animals found in the chambered cairns may be the remains of food offered to the dead; and thus would have formed a part of the worship of their ancestors, so that feasts might not only have been celebrated at the actual funerals, but also long afterwards at certain times in commemoration of the departed ancestors. There also may have been a form of animal worship among our ancestors of the Stone Age, which may have assumed practical expression in association with the interment of the dead. Reasoning by analogy, they may have imagined that seeing animals were exceedingly useful to the living, therefore they must be useful to the dead. On the same ground of imagined use to the dead, we may account for the occurrence of weapons, tools, and ornaments in the closest association with human remains.

Regarding the extreme comminution of the human remains in the

I also carefully examined the evidence advanced by Sir J. Lubbock in reference to the prevalence of these inhuman practices among the prehistoric people of Britain, and found it not only quite insufficient, but in many points clearly irrelevant and inapplicable, while some of his far-fetched analogies and inferences based thereon, were manifestly delusive. I am, therefore, glad to find that Mr. Wm. Greenwell, and the late Professor Rolleston, have contested Dr. Thurnam's conclusions. They have given more reasonable and probable explanations of the contents and the phenomena of the barrows. See especially pages 544-548, of that great and invaluable work—*British Barrows*, by Wm. Greenwell, M.A., F.S.A., 1879. In the very able and exhaustive remarks which Professor Rolleston made upon the series of prehistoric Crania, discovered in the barrows which Mr. Greenwell had so carefully explored, he completely overthrows Dr. Thurnam's conclusions on the points in question. I can only give a short quotation:—"I have to say that the bones found in the Long Barrows of England do not seem to me to bear the interpretation which Dr. Thurnam has put upon them." He proceeds to show at length the grounds and the reasons why Dr. Thurnam's conclusions are untenable, pp. 684-692. Rolleston then remarks, the question arises, "how is it that in the very large number of interments recorded in this book we have never come upon any bony remains bearing their evidence to the existence of a practice which is spoken of by such a very large number of literary authorities? In answer to this, I have to say that the literary evidence, when duly considered, proves simply that slaves and captives were slaughtered at the funeral of their lords, without proving that they were allowed to lie beside them afterwards. . . . We have a large mass of literary evidence in favour of the continuation of this practice into historical times amongst the Gauls, and other foreign races with whom the Romans and Greeks came into contact." *Ibid.*, pp. 684, 692.

In so far as the early inhabitants of Britain are concerned, I attach very little importance to this mass of literary evidence; when closely examined, it yields no definite or conclusive evidence on the points in question.

chambered cairns of Scotland, several causes may reasonably be assigned. First, the process of cremation which seems to have been the prevailing mode of burial in these cairns, though not exclusively so, as unburnt remains also occur in them. This taken in connection with the great antiquity of the interments, the thousands of years which have elapsed since they took place, and the action of the natural agencies around them during that long period. Second, it seems obvious that in many of these cairns numerous interments have been made at longer or shorter intervals; and this might partly account for the bones being so much broken and mixed as they appear in the compacted layers of the floors in the internal chambers. But owing to the very limited dimensions of the entrance passages leading into the internal chambers of these cairns, it is hardly conceivable that interments could have often taken place after the cairns were externally and internally finished. It is possible that there may have been some interments after the completion of a cairn, as a person might have crept through the low narrow passage with an urn, and placed it on the floor of the chamber; but it is in the highest degree improbable that this mode of depositing the remains took place. Such being the real state of the matter, I offer the following view as to how the interments were originally made:—1, When a site for a cairn was fixed on, the first thing done was to mark off the ground plan of the cairn and to erect the external retaining wall; 2, Then the space where the internal chamber of the cairn was to be erected, was definitely marked off; 3, Interments might then be made in the space where the chamber was designed to be. Now it is not only conceivable, but also highly probable, that the structure may have remained in this incomplete state for an indefinite period; and thus a number of successive interments on the same spot could have been made through one or more generations, or until the head of the family or tribe resolved that the structure should be completed. The great funeral feasts would be held in and around the outline of the cairn at each successive interment; and also the feasts held in commemoration of their departed ancestors. On which occasions the actions and proceedings of the people in giving expression to their worship and rejoicing, were all performed on and around the same spot. We may imagine the scene: the slaughter and roasting of horses, oxen, sheep, and dogs; and the people moving to and fro in a state of intense excitement, when the remains of another ancestor was consigned to its last resting place.



This view of successive interments before the cairn was closed up and completed, would in some measure at least account for the layers on the floors of the chambers, and the state of the human remains as we now find them.

It has been said that, "there is not a vestige of a dwelling or a defensive construction in Scotland which can be proved by evidence to be the work of the men of the Stone Age."<sup>44</sup> This may be the case; and yet we may be certain that the people who erected the chambered cairns of Scotland, would have contrived to construct dwellings to protect themselves from the cold and frost, incident to a rather severe climate. Although they have left much clear evidence of their skill and industry in relation to the dead, still we cannot assume that the dead were more cared for than the living. If no trace of the dwellings in which they lived can be found, then they must have been a very peculiar people. We have seen evidence that they had horses, cattle, swine, and dogs; and that they were skilful in making tools and weapons in such materials as were available to them. Let us therefore carefully look over the many prehistoric structures of Scotland, and try to find if any of them can be assigned to the men of the Stone Age.

There is only one type of structures which could on any reasonable grounds be assigned to this period, and that is the "earth houses." The period of this class has been recently fixed as lying between "the general establishment of Christianity and the departure of the Romans from Scotland." The grounds on which this conclusion rests are these:—1, That in two of the earth-houses some of the stones in their walls had distinctively Roman mouldings on them; and consequently they must have been built after the Roman occupation. One of these was discovered near the village of Newstead, Roxburghshire, and the other at Crichton Mains, in Mid Lothian. A Roman type of pottery and traces of Samian ware have also been found in some of the earth-houses. 2, "The presence in most of them of querns and implements of the Iron Age, and the entire absence of such implements as are characteristic of the ages of stone and bronze."<sup>45</sup>

The first point is conclusive evidence so far as it goes; but it does not follow that these two earth-houses were the first structures of

<sup>44</sup> Anderson's *Bronze and Stone Ages*, p. 305; 1886.

<sup>45</sup> *Ibid.*, pp. 300-304.



this type built in Scotland. For anything that we know their construction might have been the result of special circumstances of an individual character. So far as known, the earth-houses are not numerous in that quarter of the country. Let it then be clearly understood, that merely to show the limit of the age of one or two in a certain locality, is not conclusive evidence of the origin and the possible age of a type of so peculiarly characteristic structures, spread over a wide area, unless where other evidence in harmony with the natural and known surroundings of the people is adduced. Thus the strongest point is inconclusive touching the origin and possible age of this special class of structures.

The second point is not quite accurate. For it is recorded that some of the earth houses have been found empty; that in others cinders and charred wood, the bones of the ox, deer, and other animals, shells and remains of fish, a few objects of flint, bone, and bronze, as well as querns and iron implements, have been discovered in them.<sup>46</sup> Although there had been nothing but querns and iron implements found in them, that would not afford conclusive evidence as to their origin and possible age, but only evidence of their latest frequenters or temporary occupiers.

1, Now it can hardly be questioned that the men who erected the horned and chambered cairns were capable in point of skill, power, and persistency of will, to construct the earth-houses. This much will be admitted. 2, Taking into account the climate and the circumstances under which our ancestors of the Stone Age lived and moved; and also having regard to their imperfect means of protecting themselves from the biting cold and frost, if we duly consider these things, it will at once be perceived that the earth-houses were the most suitable dwellings for their condition and circumstances. 3, Let us carefully examine the entrances and passages of the chambered cairns, the internal structure and characteristics of the chambers; and then compare these with the entrances and the galleries and chambers of the earth-houses, not fanciful but striking resemblances will be perceived between the two classes of structures. Indeed this resemblance is so marked that it is difficult to imagine that they were not

<sup>46</sup> *Chalmers' Caledonia*, Vol. I., p. 97; *Wilson's Prehistoric Annals of Scotland*, Vol. I., pp. 108-110; *Proceedings of the Society of Antiquaries of Scotland*, Vol. I., pp. 260-263; Vol. III., pp. 465-471; Vol. IV., pp. 64, 492-499; Vol. VI., pp. 249-250; Vol. VII., pp. 276, 532-534; Vol. VIII., p. 24; Vol. X. p. 287.

both constructed by the same people. 4, So far as I know, the people of the Stone Age were a quiet race; and seeing that they found leisure to erect such great memorials to the dead, it may be reasonably assumed that they also found time to erect the earth-houses, which were in harmony with their genius and conditions of life, excepting of course the two with the Roman stones, which were no doubt the product of some eccentric and timid individual, born out of due time. 5, It is well known that the different races and tribes in Scotland, after the departure of the Romans, were so much engaged in conflicts with one another that they could scarcely have found time to construct the earth-houses, which could not have been built in a day or perhaps in a year. Besides, is there any direct evidence that the Celtic people of Scotland constructed underground galleries for any purpose after the departure of the Romans? There was but one people whose genius, condition, and circumstances, harmonised with the earth-houses, and that was the race who erected the chambered cairns.

The area of the earth-houses extends from Berwickshire to the Orkney Islands, embracing all the eastern region of Scotland; but not many of them have been discovered on the south side of the Forth. These curious structures are sometimes found singly, and sometimes in groups of from five up to forty. Many of them lie in cultivated lands, and have often been discovered by the plough striking on the stones of their roofs. I will first give a general description of their structure, and then point out the features which bear a resemblance to some of the characteristics of the chambered cairns.

Their chief features are:—1, They are under the natural level of the ground; 2, A narrow and low entrance, apt to escape notice, and a narrow passage; 3, A more or less curved chamber, gradually widening inwards and usually terminating with a rounded end; 4, The internal characteristics of the chamber, which is sometimes single, in others small chambers run off the main one, to the right and left; 5, Converging side walls which support a lintelled roof. They vary greatly in size, but their features are pretty similar.

At Airlie, in Forfarshire, there is a group of five, one of which was sixty-seven feet long, and about seven feet wide. The entrance was under two feet in height, and the floor gradually slopes down for twenty feet till it reaches a height of six feet. The walls are pretty regularly built of undressed boulders, and they converge inward to four feet at the roof, which is formed of large stones, many of them

over seven feet long and four feet wide. Its contents consisted of an accumulation of ashes, and bones of animals, fragments of querns, a stone vessel, and a brass pin.<sup>47</sup>

In 1816, Professor John Stuart of Aberdeen, discovered a group spread over a space of about a mile in diameter, on what was then a dry moor,<sup>48</sup> in the parishes of Auchindoir and Kildrummy, Aberdeenshire. He estimated the number then discovered in this locality at upwards of forty; and he states that the ground where they lay had originally been a forest, as the trunks of large trees were still dug up there. There was no indication of them on the surface of the ground. The only entrance was a small opening of about eighteen inches wide between two projecting stones, through which a man might enter, and then descending a sloping passage of five or six feet, he comes to a vaulted chamber. The chambers of this group are from six to eight feet in height, from six to nine feet wide, and thirty feet long and upwards. They are built of rough blocks of granite, many of which are five to six feet long and more than a ton in weight; the side walls converge inward by overlapping to form a rude arch, and are covered with large stones. On the surface of the ground close to these structures, Professor Stuart found a number of spaces from ten to fifteen yards square, and about two feet deep, with the earth thrown outward; and these excavated spaces he conjectured to have been the sites of the summer huts of the people, who retired to the underground places in winter, and stored their provisions in them all the year round. He added that no articles of furniture or instruments either of stone or metal had been found in them, so far as could be ascertained, but only wood, ashes, and charcoal—mostly at the inmost end, where in some of them a small opening appeared at the top, supposed to be an outlet for the smoke.<sup>49</sup> Foundations of huts on the surface of the ground have been observed in association with a few other earth-houses, one example was found near Arbroath, in Forfarshire.<sup>50</sup>

In other localities the earth-houses vary much in length, some examples reaching to sixty feet long; and as already observed, some of them have smaller chambers branching off the main chamber. But on the whole they are remarkably similar in structure.

<sup>47</sup> Anderson's *Bronze and Iron Ages*, p. 292.

<sup>48</sup> This moor is now under cultivation.

<sup>49</sup> *Archæologia Scotica*, Vol. II., pp. 56-58.

<sup>50</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. IV., pp. 492-499.

Some resemblances between those underground houses and the chambered cairns may now be noticed. 1, The hidden nature of the entrance, and its lowness and narrowness, are features peculiar to both classes of structures. From a comparison of a considerable number of recorded measurements of the height and width of both classes of structures at their entrances, I have found that the highest entrance in an earth-house is 3 feet, and the lowest 18 inches, the average being about 2 feet. Now the highest entrance of a chambered cairn is 3 feet 6 inches, and its width 2 feet, while the lowest is 21 inches in height, and the same in breadth. The average height and width of the entrances to the passages of the cairns and those of the earth-houses are almost identical; and it is difficult to believe that this coincidence could have been the result of chance. 2, In some of the earth-houses there are small chambers opening off the main chamber, a feature which occurs in some of the chambered cairns. 3, The mode of forming the roof or the device for closing in the walls at the top is similar in both classes of these structures. 4, These coincidences and similarities are difficult to explain, except upon the ground that both classes of these structures were originated by one race of people, and belong to the same period. Moreover the bones of the same animals have been found in both classes of structures; while the mere absence of stone weapons and implements is not of much historic significance, seeing that these rarely occur even in the chambered cairns themselves.

The most probable conclusion seems to be that the people of the Stone Age, who erected the chambered cairns, also originated the underground structures which we call earth-houses; and that they constructed a considerable number of those specimens which are still known to exist, though not necessarily the whole of them. In succeeding centuries such structures may have been constructed in localities where the exigences and circumstances of the people suggested their utility, down even to the time of the departure of the Romans. I take the view suggested by Professor Stuart, that from the first these underground structures have never been continuously occupied as common dwellings, but only at the seasons of extreme cold and frost, when the people resorted to them in order to protect themselves in some measure from the inclemency of the weather. Recently distinct traces of overground huts have been discovered, so closely associated with earth-houses as to leave no doubt that both belonged to the same family. Still it seems that



some at least of the earth-houses were occasionally frequented by certain people even late into the Iron Age ; but that circumstance affords no evidence to invalidate the conclusion that they were originated by and belonged to the Stone Age people.<sup>51</sup>

From the natural features of the country, and the very varied intersection of the land and water, it might be expected that boats would have come into use at an early period, and this appears to have been the case. The primitive boats of the early inhabitants were made by simply hollowing out the middle of a single oak tree with such tools as have been described, or some have supposed that this was effected by the application of fire. They are sometimes called canoes, and have been often found in lakes associated with the Crannogs. But they have been discovered in every quarter of the country, in lochs and mosses, on the banks and in the beds of rivers ; and many of them have been found imbedded at a depth of from thirteen to thirty feet below the surface of the ground. In Lochar Moss, Dumfriesshire, a track bordering on the Solway Firth, a number of canoes have from time to time been dug up, one of which measured 8 feet 8 inches in length, 2 feet in breadth, and 11 inches in depth. The Valley of the Clyde has yielded the greatest number of these single tree boats. Under the streets of Glasgow, and in its vicinity, when digging the foundation of houses, cutting drains, and in operations connected with the harbour work, and the dredging of the channel of the Clyde, nearly thirty have been discovered.<sup>52</sup> These vary considerably in length and depth, but they all belong to the first stage of shipbuilding ; which here, and from this primitive starting-point, has at last attained a development as yet unsurpassed in any quarter of the globe.

From what has been presented in the preceding pages, we may imagine our early ancestors of the Stone Age as living and moving in

<sup>51</sup> There is a group of underground structures in Ireland, but they differ considerably from the Scottish class. The Irish specimens are mostly associated with forts or raths, excavated in the ground and enclosed by the rampart of a fort ; and they consist of various forms of chambers which are connected by low narrow passages. There is also a group of underground structures in Cornwall, which in some of their features resemble those of Scotland ; but they appear to have been usually associated with overground dwellings.

<sup>52</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. I., pp. 44, 211-213 ; Vol. VI., pp. 119, 121, 146, 148, 458 ; J. Geikie's *Great Ice Age*, p. 212 ; Wilson's *Prehistoric Annals of Scotland*, Vol. I., pp. 52-55.



a state of comparative safety and comfort. They possessed the greater number of the domesticated animals which are still common in this country; they built such structures for habitations as were suited to their condition and the surrounding circumstances, and the means within their reach. They manifested much intelligence, skill, and industry in the manufacture of their weapons, tools, and implements—using the only available means and materials at their command with admirable ingenuity and striking effect. We can discern and trace the evidence of mind and of thought even in the fragments of their works; and the memorials which they erected to the memory of the dead, have long survived the wreck of proud empires, dynasties, and thrones.

## SECTION V.

### *The Bronze Age.*

This section will deal with the introduction of metals, and touch on the transition from the stone to the bronze period. A description of the various bronze objects, weapons, tools, and gold ornaments will be presented. The defensive works, habitations, and other matters associated with the daily life of the people will be treated. The modes of burial of the bronze period, and the phenomena associated with interments. Finally, an expository statement and summary touching the religion, social state, and culture of the prehistoric people will be offered.

The question of the introduction of the use of metals or bronze is easily understood, but the question of the origin of bronze, or the original centre where it was discovered, is a more difficult matter, and has caused much inquiry and discussion. It is the first only of these questions which comes within the scope of my work, and the second will be very briefly touched. As to the original centre where bronze was discovered, this is a problem still under discussion; and, like the origin of the Aryans, it is not likely to be soon solved. Some writers have pointed to Western Asia, the supposed cradle and original source of early civilisation; but, in truth, when or where the alloy called bronze was first discovered and manufactured for use no one really knows.<sup>53</sup> It is, however, well ascertained that bronze weapons and

<sup>53</sup> Touching the early sources of copper and tin in Europe, it may be observed that native copper occurs in Hungary, Norway, Sweden, Saxony and Cornwall;

tools were used much earlier in some quarters of the globe than in others, for instance in Egypt, and the regions around the Mediterranean, long before it was used in Britain or other Northern European countries.<sup>54</sup>

Concerning the means through which the use of bronze was introduced to Britain different views have been held. Some authorities have maintained that the use of bronze was spread from a common centre by an intruding and conquering race, or the migration of tribes; others hold that the people of each separate country, where bronze is known to have been used, discovered the art independently and manufactured their own implements; some again maintain that the art was discovered and the articles manufactured on one spot, and thence disseminated by means of commerce; and finally, others aver that the art of making bronze was spread from a common centre, but that the implements were usually made in the countries in which they have been found.<sup>55</sup> A discussion of these views would require a separate volume, and I can only indicate the region whence Britain, or rather Scotland, probably received the first instruction in the use of bronze.

It has frequently been stated that the use of bronze was introduced into Britain by invasion and conquest. Professor Dawkins advances the idea that the Celts arrived on the southern shores of Britain with bronze swords in their hands, and thus introduced the use of bronze into this country.<sup>56</sup> But this mode of explanation is seldom satis-

and copper and its ores are abundant in Ireland. Copper pyrites is very general in most countries of the world, in more or less abundance. In early times tin seems to have been found in large quantities in some parts of Spain; and we know that the tin mines of Cornwall, in Britain, were worked at an early period. In the East, Malacca was a source from which tin may have been obtained in early times. Evans' *Ancient Bronze Implements*, pp. 419, 424.

<sup>54</sup> Bronze was extensively used in Egypt for weapons and tools as early as 3000 B.C.; but the use of iron seems to have been restricted, owing probably to some religious motive. *Ibid.*, pp. 6, 7, 8. Among the Aryans iron seems to have been used at an early period.

<sup>55</sup> *Ibid.*, p. 475. "The familiarity of the ancient Britons with tin, though this metal does not occur in a native state, may be readily accounted for from the one being frequently found near the surface, and requiring only the use of charcoal and a very moderate degree of heat to reduce it to the state of metal." Wilson's *Prehistoric Annals of Scotland*, Vol. I., p. 304. 1863.

<sup>56</sup> *Early Man in Britain*, pp. 321, 322, 343. 1880. This writer is perhaps wrong in his statement of facts and in the inferences which he draws. The

factory, unless well supported by other circumstances and evidence ; and, although it is highly probable that the people of Britain did receive the knowledge of the use of bronze from France, it was by means of barter and not by warfare ; seeing that the first arrival of Celtic tribes in the south of Britain was probably long anterior to the general use of bronze in France itself or the Continent. It appears to me that the Celts had overrun the whole of England, and penetrated into Scotland, as far at least as Glenmore, before bronze began to be introduced in the south of Britain. The view which supposes that the art of making bronze was discovered at a single centre, where implements were manufactured and afterwards spread by commerce, is probably in a limited sense true. For wheresoever the discovery of bronze may have originated, there is evidence of its use having spread over the greater part of Europe, and probably at first bronze tools and implements were widely diffused by barter. The view, however, which comes nearest to the requisite conditions of the known facts everywhere associated with the subject, assumes that the art of making bronze was spread from a common centre, though the weapons and tools were manufactured in greater or less numbers in each country where the use of bronze prevailed. This does not imply that in any given district all the weapons and tools found in it were of home manufacture, and none of them imported, for there is evidence in most countries that some of the bronze articles found there are of foreign manufacture, and had been introduced by commerce or other means of intercourse.<sup>57</sup>

There is ample evidence that in Britain, in course of time, the manufacture of bronze weapons and tools was extensively and widely carried on. The moulds for casting various tools and weapons have been found both in England and in Scotland, and they are numerous in Ireland ; and founders hoards have been found in many places in Britain. There were also travelling founders, who practised their art at any place where their work was required. In these and in other ways, many of the bronze weapons and tools found in England, Scotland, and Ireland, were manufactured. Amongst the hoards of

Silures, whom he supposes to have been Iberians, were in all probability mixed Celtic tribes. And this much is certain, that the tribes called Silures, made a desperate and prolonged resistance to the advance of the Roman legions—a resistance quite inconsistent with the feeble characteristics of the Iberians.

<sup>57</sup> Evans' *Ancient Bronze Implements*, pp. 420, 475-477.

bronze articles which have from time to time been found, some are considered to represent the stock-in-trade of the ancient bronze founders; and other hoards, from their characteristics, are considered to have belonged to dealers in bronze articles.<sup>58</sup> Some of the moulds found in Scotland will be noticed in connection with the description of the weapons and implements.

From a concurrence of circumstances and ascertained facts, it is evident that the transitional stage from stone weapons and tools to the use of metal ones extended over a long period. The one class of articles and tools did not supersede the other suddenly; for there is much evidence that stone, bone, and horn weapons and tools continued to be used long after bronze, and even iron, was introduced. For such work as stone and bone tools were naturally suitable, they continued to be used, as they were much easier obtained than bronze ones; and in some instances stone implements were used down to a comparatively recent period. In the case of certain ornaments which belonged to a somewhat later period, bronze and brass were used.

In Scotland bronze weapons, tools, and articles have been found under various circumstances. A few have been found associated with interments; a greater number have been discovered in hoards from time to time; some casually found in the soil; and others when carefully sought in excavating the early sites of human habitation. I will first touch on a few of the hoards, and then proceed to describe the different kinds of weapons, implements, and ornaments of the bronze period, as it is represented in Scotland.

In the process of marl dredging in the Loch of Duddingston, near Edinburgh, in 1775, the workmen dragged up a heap of swords, spear-heads, and other lumps of bronze. They seem to have been mostly broken; and the hoard as presented to the National Museum, consisted of twenty-nine pieces of broken swords; twenty-three portions of spear-heads; and a ring and staple of large size. The fragments of the swords were mostly under six inches in length, and show that the weapons were of the leaf-shaped type; the spear-heads

<sup>58</sup> Evans' *Ancient Bronze Implements*, pp. 422, 428, 433-453. "Judging from the unfinished condition of the tools and weapons in some of the old bronze founders hoards, and from the largedeposits of socketed celts having been found with the clay cores still in them, it seems not improbable that the founders often bartered away their castings nearly in the state in which they came from the moulds, with only the runners broken off, and that those who acquired them finished the manufacture themselves." *Ibid.*, p. 451.



were pieces of large weapons with sockets and leaf-shaped blades.<sup>59</sup> In 1849, a hoard of bronze weapons was discovered in a moss on the north side of the point of Sleat, in the Isle of Skye, which consisted of one sword of the leaf-shaped form, with a flat handle-plate pierced for rivet holes ; two spear-heads ; and a long thin pin with a cup-shaped head ; and also a curious socketed tool of a bent leaf-shaped form, four inches long. A hoard of bronze weapons and objects was found at Tarves, Aberdeenshire, which mostly consisted of swords ; and in 1853, at Cauldhame, near Brechin, a hoard was found, consisting of four leaf-shaped swords, and a large spear-head. One of the swords was twenty-four inches long. In 1868, at Achtertyre, near Elgin, a hoard of bronze articles was discovered in ploughing a mossy field, which consisted of one axe-head ; two spear-heads ; two penannular rings, some fragments of broken rings ; and portions of a ring, which on analysis yielded only tin and lead, no copper. When a gravel hillock was being trenched at Monadhmor, Killin, Perthshire, in 1868, the workmen discovered a hoard of bronze objects, consisting of two socketed axe-heads ; a leaf-shaped spear-head ; a socketed gouge of rare occurrence in Scotland ; a portion of a leaf-shaped sword ; a hollow circular ring, a pennanular ring, and nine plain annular rings. In 1869, when the foundation of a house in Grosvenor Crescent, Edinburgh, was being dug, a hoard of bronze weapons was found, said to have consisted of some fourteen or fifteen swords, but only four of these are now known ; and with them were found a bronze ring and a broken pin.<sup>60</sup>

All the bronze articles found in Scotland and reasonably assigned to this period, may be classified as weapons, useful tools, and ornaments. The first class includes swords, daggers, spear-heads, and shields. The sword of the bronze period is amongst the finest of the ancient weapons. The small and short leaf-shaped blade, and its hilt without a guard, is a form greatly admired. Different specimens

<sup>59</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. I., pp. 132-133. The proprietor of the estate on the side of the Loch, Sir Alexander Dick, who commenced the dredging operations, said—"Some of the lumps of brass seemed as if half melted ; and my conjecture is, that there had been upon the side of the hill, near the lake, some manufacture for brass arms of the several kinds for which there was a demand."

<sup>60</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. I., pp. 181, 224 ; Vol. III., p. 182 ; Vol. IX., p. 435 ; *Anderson's Bronze and Stone Ages*, pp. 142-153.



in the Scottish collection vary in size ; a fine example was dredged up from the bottom of the Tay near Perth, it measures  $28\frac{1}{2}$  inches in length, and is the largest one known in Scotland. Another from the Isle of South Uist, measures 27 inches ; and one found in the parish of Latheron, Caithness, is 25 inches long. In rare specimens, such as one of the swords found in the hoard at Edinburgh, the hilt is formed and cast in the same mould with the blade. Another form of sword, of rare occurrence in Scotland, is characterised by a narrow rapier-shaped blade, without a handle-plate, the hilt being made of bone or wood and attached to the flattened base of the blade by rivets. The leaf-shaped swords are numerous in Scotland, and have been found in almost every quarter of the country.<sup>61</sup>

Apparently both these classes of sword-blades were cast in stone moulds ; but no sword moulds have as yet been discovered in Scotland. Two stone moulds were found in the parish of Hennock, in Devonshire, which were both for the production of rapier-shaped blades.<sup>62</sup>

The dagger blades are usually thick and heavy in proportion to their length. They differ from the thin flat blades of smaller size occasionally found in the graves of the period. The thick daggers vary much in size, from six inches in length to over thirteen, and in breadth some of the larger ones are from three inches to over four. Some of them have two and others four rivet-holes for attaching their handles. A few of them are slightly ornamented, and many of them are finely shaped.<sup>63</sup>

The spear-head of the bronze period is usually a socketed weapon,

<sup>61</sup> " Among ancient weapons of bronze, perhaps the most remarkable, both for elegance of form and for the skill displayed in their casting, are the leaf-shaped swords, of which a considerable number have come down to our time. The only other forms that can vie with them in these points are the spear-heads, of which many are gracefully proportioned, while the coring of their sockets for the reception of the shafts would do credit to the most skillful modern founder. Neither the one nor the other belong to the earliest period when bronze first came into general use for weapons and tools, the flat celts and the knife-daggers characteristic of that period being as a rule absent from the hoards in which fragments of swords and spear-heads are present." Evans' *Ancient Bronze Implements*, p. 273.

<sup>62</sup> *Ibid.*, p. 434.

<sup>63</sup> *Proceedings of the Society of Antiquaries of Scotland*, Vol. X., pp. 84, 459 ; Vol. XII., pp. 439, 440, 449, 456 ; Wilson's *Prehistoric Annals of Scotland*, Vol. I., p. 392.

without barbs, and often leaf-shaped; and the variation in their length and the taper of the blades is extreme. The largest specimen in the National Museum is nineteen inches long, and exceedingly well formed. The larger ones are often pierced with segmental openings in the sides, formed in the casting, which diminish their weight and add to the beauty of the finished weapons. Another class, with the base of the blade pierced by loop-like holes, have been found exceeding fifteen inches long, but other specimens of the same class are only eight inches long, and some not over six inches. The looped variety of spear-heads have also been found in Scotland, some specimens of which have the loops low down on the socket. These are very common in Ireland, and are more elaborately ornamented than the Scotch examples.<sup>64</sup>

The spear-heads, like the sword and dagger blades, were cast in moulds of stone. Two stone moulds for looped spear-heads were found together under the surface of the ground near Campbeltown, in Argyshire. Similar moulds have been found in England, Ireland, and in other countries.<sup>65</sup>

Bronze shields are not numerous in Scotland, but a few specimens have been found. In 1779 a fine example was discovered in a peat moss in the parish of Beith, Ayrshire, which was afterwards presented to the Society of Antiquaries of London. This shield is formed of thin beaten bronze, circular in form, and  $26\frac{1}{2}$  inches in diameter. Its surface is ornamented with concentric circles of ridges, and also hammered up from the back between the circular rows of studs; the handle is fixed across the inner side of the boss, and the grip rounded by turning the edges inwards. In 1837 a shield of a similar character was found in digging a drain in a marshy piece of ground at Yetholm, in Roxburghshire; and in 1870 another shield was ploughed up in the same piece of ground. They are beautiful and finely finished. They were not intended for use on the arm, like the shields of later times, but held in the left hand by a single handle riveted across the hollow of the central boss.<sup>66</sup>

<sup>64</sup> *Pro. Soc. Antig. Scot.*, Vol. V., p. 214; Vol. XXIII., pp. 9, 150, 224; Anderson's *Bronze and Stone Ages*, pp. 184, 185.

<sup>65</sup> *Pro. Soc. Antig. Scot.*, Vol. VI., p. 48; Vol. XVI., p. 103; Evans' *Ancient Bronze Implements*, pp. 435-438.

<sup>66</sup> Anderson's *Bronze and Stone Ages*, pp. 155-159; *Pro. Soc. Antig. Scot.*, Vol. V., p. 165; Vol. VIII., p. 393.

Only one specimen of a bronze battle-axe is known in Scotland, which was found in a morass at Bannockburn. It is a very peculiar weapon, four pounds in weight, and has been figured by Dr. Anderson.

A fine specimen of a cast bronze war trumpet was found in the parish of Tarbolton, Ayrshire, about the year 1653, and since preserved in Coilsfield House. It is the only one of the class known in Scotland. A portion of a bronze side-blast trumpet was found at Innermessan in the parish of Inch, Wigtonshire. These bronze war trumpets are more common in Ireland and in Denmark than in Scotland.<sup>67</sup>

Having noticed the warlike weapons, I turn to the tools and implements which appear to have been used for the purposes of every-day life, beginning with those which seem to have come earliest into use. The flat, bronze axe-heads are broad at the cutting end, and vary greatly in size. Some of them are five inches in length and three inches across the cutting face, which is always their broadest part. The largest specimen known in Scotland is  $13\frac{3}{8}$  inches in length and 9 inches across the cutting face; it was found in digging a drain on the farm of Loanhead, on the south side of the Pentland Hills. Amongst a number found on the farm of Colleopard, in Banffshire, there were two with a series of short lines incised upon their flat sides, and another one had raised ribs lengthwise. Others have been found over the whole area of Scotland. It has been supposed that this class of axe-heads were cast in open moulds of stone.<sup>68</sup>

There are several other varieties of axe-heads which have been termed fanged and socketed. Some of these are very finely formed, and more or less ornamented. The two halves of a stone mould for casting socketed axe-heads of bronze were found at Rooskeen, in Ross-shire, and have been figured by Wilson and Dr. Anderson.

The difference between the axes and the chisels of the bronze period appears more in the mode of hafting and of use than in the form of the tool itself. Tools of the chisel form are not very numerous in Scotland, they are much more common in Ireland.

<sup>67</sup> *Pro. Soc. Antiq. Scot.*, Vol. XII., p. 565; Vol. XXIII., pp. 151, 224.

<sup>68</sup> *Ibid.*, Vol. IV., pp. 187, 380; Vol. IX., pp. 182, 430, 431; Wilson's *Pre-historic Annals of Scotland*, Vol. I., p. 344; Anderson's *Bronze and Stone Ages*, pp. 190-194.

Some good specimens, however, have been found in the southern and northern counties of Scotland.<sup>69</sup>

Awls, needles, and fish-hooks of bronze have occasionally been found in Scotland. Bronze awls have frequently been found in England, and sometimes in association with interments.<sup>70</sup> Only three specimens of bronze sickles are known in Scotland. One was found at Edengerach, in the parish of Premnay, Aberdeenshire, which is a curved, tapering blade set at right angles to the end of an oval socket; the blade is imperfect, but seems to have been over four inches in length. Another sickle was dredged from the bed of the Tay, near Errol, in 1840, and it is preserved in the Museum of the Literary and Antiquarian Society of Perth. The blade is a little over six inches in length, and over an inch in breadth at its junction with the socket. The third sickle is in the Hunterian Museum, Glasgow, and its blade is five inches in length. These are the only agricultural implements of the bronze period as yet discovered in the kingdom, though it was stated in the *Old Statistical Account of Scotland* that an implement of this class was found at Ledberg, in Sutherlandshire.<sup>71</sup>

No bronze hammers have been found in Scotland, and only one example of the Bronze Age anvil has yet been discovered. The anvil was found near Kyle of Oykel, in Sutherlandshire, and is preserved in the museum of Dunrobin Castle. Several good specimens of large cauldrons, formed of thin bronze plates riveted together, have been found associated with the leaf-shaped swords and the socketed axe-heads, as in the loch of Duddingston, Kilkerran in Ayrshire, and Poolewe; some of them are beautifully formed and finely made.<sup>72</sup>

The people of the Bronze Age seem to have adorned themselves profusely with fine ornaments, for gold ornaments assigned to this period have been found in every quarter of the kingdom. They are suggestive of a magnificence of attire and a life which ill accords with the view that I have often seen stated, namely, that our prehistoric ancestors were simply untutored savages! Men, indeed, who assumed the upright attitude, but savages nevertheless. Two beauti-

<sup>69</sup> *Pro. Soc. Antiq. Scot.*, Vol. XII., pp. 6, 13; Vol. XVII., p. 338; Anderson's *Bronze and Stone Ages*, p. 201.

<sup>70</sup> Evans' *Ancient Bronze Implements*, pp. 188-191.

<sup>71</sup> *Pro. Soc. Antiq. Scot.*, Vol. VII., p. 376; Vol. XXII., pp. 339, 350.

<sup>72</sup> *Ibid.*, Vol. XXII., pp. 36-42; Anderson's *Bronze and Stone Ages*, pp. 205-207.

ful golden diadems were found on the farm of Southside, near Coulter, Lanarkshire, in 1860. Their form is a broad lunette of beaten gold, terminating in disc-shaped ends; and the central opening is wide enough to admit of the ornament being worn on the head as a diadem or on the neck as a gorget. Another beautiful gold diadem of a similar form was found at Auchentaggart, in the parish of Sanquhar, Dumfriesshire, which, when turned up by the plough, was folded and rolled up almost into a ball. A magnificent specimen of a large and massive armlet, formed of intertwined rods of gold, was found at Slateford, near Edinburgh, in 1864. It consisted of three gold rods twisted together round a common centre, and uniting at the ends in a single rod, which recurves and forms a terminal hook; and it was so coiled as to encircle the arm in four complete coils, which, when extended, measured  $4\frac{1}{2}$  feet long. This armlet "was by far the finest specimen of goldsmith's work from the bronze age that had ever been seen in this country, and the only one of its kind then or now known to exist; yet it was clipped to pieces and consigned to the melting-pot by a jeweller in Edinburgh. A cast of it, however, is preserved in the National Museum."<sup>73</sup>

Another exceedingly beautiful gold armlet is formed of a flat band, tapering slightly from the middle to the end, and twisted like the thread of a screw, passing at the ends into slender hook-like terminations, with conical knobs which interlock and serve to fasten the armlet when worn. In 1848 a hoard of four of these armlets was discovered on the top of a steep bank at the village of Lower Largo, in Fifeshire. They are most beautifully formed, and all nearly of the same size. Another hoard of gold armlets of a similar type was turned up by the plough on the farm of Law, in the parish of Urquhart, Elginshire, in 1857; the number found amounted to thirty-six, and they were all nearly of the same style and pattern. A gold armlet of a similar pattern was found at Belhelvie, in Aberdeenshire; another near the border of the parish of Coulter, Lanarkshire; one at the head of Little Lochbroom, in Ross-shire; and a very massive one on the Moor of Rannoch.<sup>74</sup>

In 1856 a hoard of gold ornaments was discovered in a moss in the West Highlands, amongst which were two penannular armlets. These are formed of solid rods of gold, bent to a slightly elliptical form, and

<sup>73</sup> Anderson's *Bronze and Stone Ages*, pp. 220-223.

<sup>74</sup> *Ibid.*, pp. 214, 219.



terminating in slightly expanded ends. The heaviest one weighed 19 dwts. 6 grs. In 1852 a massive gold armlet, formed of solid rods, was found at Bonnyside, in Stirlingshire, and it weighed 6 ozs. 10 dwts. 6 grs. Four armlets, formed of solid rods of gold, of a similar pattern, were found in digging a drain at Ormidale, near Brodick, in the Island of Arran, in 1864. In 1845 five similar armlets were found in digging a drain in the vicinity of the Gallow Hill, in the parish of St. Vigean, Forfarshire, and these were sold to a pedlar "as old drawer handles." In 1834 three penannular gold armlets were found in Stonehill Wood, in the parish of Carmichael, Lanarkshire, and the largest one weighed 4 ozs. 212 grs. A hoard of thirty-six gold armlets was ploughed up on the farm of Coul, in the Isle of Islay, in 1780; and about 1784 a gold armlet, weighing over 5 ozs., was found by a labourer in Galloway. In 1871 two gold armlets were found in the vicinity of Killmailie, Inverness-shire; other two found in Argyleshire are preserved in Inveraray Castle. About 1827 five penannular gold rings were discovered on the estate of the Duke of Fife, near Duff House, Banffshire, and these rings were associated with a bronze age interment. From the associated circumstances in which several of these gold ornaments have been found, there is no question that they belong to the bronze period. Besides the gold ornaments mentioned in the preceding paragraphs, and many others of gold which I have not mentioned, there were bronze rings, armlets, pins, and jet necklaces, which have been found in many parts of the country. Some of the jet necklaces and the bronze armlets are very pretty.<sup>75</sup>

The curious phenomena of the prevalence of the use of gold in the form of ornaments amongst the Bronze Age people, at a time when silver and iron were unknown, and bronze the only metal used in their manufactured products, seems to indicate a taste and culture which could scarcely have been expected. This will be again touched on after the available evidence in other directions has been gone over, to which attention must be directed.

It may be "that not a trace of a dwelling or site of a settlement of the Bronze Age has been discovered in Scotland."<sup>76</sup> Still, when the

<sup>75</sup> Anderson's *Bronze and Stone Ages*, pp. 58, 59, 60, 61-63, 144, 208-214; *Pro. Soc. Antiq. Scot.*, Vol. VI., p. 311; Vol. VII., pp. 351, 352; Vol. VIII., pp. 28-32, 407, 408; Wilson's *Prehistoric Annals of Scotland*, Vol. I., pp. 434-475.

<sup>76</sup> Anderson's *Bronze and Stone Ages*, p. 227.

historian finds that the people lived, and moved, and died, and were interred in various forms in the Bronze Age, he must endeavour to find traces of their dwellings and sites. Seeing that their tombs have been discovered, it is more than probable that their sites and dwellings were at no great distance from their tombs. We have already seen evidence that there must have been considerable organisation and united action among our ancestors of the Stone and Bronze Ages, and therefore, in consistency, we should try to find traces of their dwellings; although possibly we cannot obtain positive information about them.

Traces of what may reasonably be supposed to have been the foundations of prehistoric dwellings, have been observed in many quarters of Scotland, in short from Mid Lothian to Caithness. The rudest of these hut foundations are simply shallow excavations in the ground, usually circular in form and from seven to eight feet in diameter, and generally occur in groups. But the foundations of many groups of circular huts of larger dimensions have been observed in Scotland. The structure of those hut circles consists of two concentric rows of stones separated by a space of six or eight inches, which is filled by small stones and earth, the whole forming a rude wall of about eighteen inches in height; and the space within this wall is generally from twenty to thirty feet in diameter. They have often been discovered on the summits, the brows, and the sides of hills; and also on the lower grounds, the sea beaches, and on the banks of lochs and of rivers.<sup>77</sup> Now it is probable that these were the foundations of prehistoric dwellings, and that above these foundations a structure formed of wood was erected. Many indications, circumstances, and final results, tend to show that the sites and settlements of the prehistoric people of Scotland were often on elevated positions—on heights and hills. The natural reasons and circumstances which originally led the prehistoric people to select the heights for their habitations, probably were that abodes erected upon the high grounds would be more likely to escape the ravages of inundation from a high tide, a heavy rainfall, a sudden thaw of snow, or any unusual rising of the waters upon the lower grounds; while the heights were also best adapted for defence against the attacks of

<sup>77</sup> *Pro. Soc. Antig. Scot.*, Vol. VII., pp. 291, 297, 300, 541; Vol. VIII., p. 410; Vol. IX., pp. 158, 169; Wilson's *Prehistoric Annals of Scotland*, Vol. I., pp. 103-106.

enemies. Thus it is in the highest degree probable that the earliest dwellings of man in Scotland were on pretty elevated positions. Further, many of the towns of Scotland which stretch back into the prehistoric period, were originally sites of human habitation upon heights or hills, such as Edinburgh, Stirling, Paisley, Dundee, Aberdeen, Banff, Inverness, and many others. As indicated in the second section, man selected the sites for his dwellings with remarkable sagacity.

But in the prehistoric ages it frequently happened that the advantages of the elevated sites, great as they were—mainly owing to the difficulties of obtaining food—these advantages were partly counterbalanced, and hence the selection of spots on the banks of lakes and rivers, and near the sea, as sites of early occupation. Thus, traces of hut foundations have been observed on the sea beaches, the banks of lakes and rivers, in close association with shell mounds, kitchen middens, and grave mounds. On the links between the Meikle and Little Ferries, Sutherlandshire, the hut foundations, the shell mounds, and the grave mounds, were found in close proximity with each other; and similar traces and remains occur in Elginshire, and in other parts of the country. From these indications it has reasonably been inferred that these places were sites of early habitation, and that shell fish or eatable mussel formed a main part of the food of those people. A few flint and stone implements, and the bones of animals, were found embedded amongst these shell heaps.<sup>78</sup>

<sup>78</sup> *Pro. Soc. Antiq. Scot.*, Vol. VI., pp. 423-426; Vol. VIII., pp. 63-64, 177-178; Vol. IX., pp. 250-260, 452-454, 45-52.

There are a number of caves in Scotland which appear to have been used for human habitations, or hiding places; but their occupation cannot be assigned to definite periods, unless in rare instances. In quite recent times travelling tinkers and bands of vagrants occasionally lived in caves. Several of the early Scottish saints sometimes resorted to caves.

In the Gaswork Cave, at Wemyss, there was a mass of debris like a kitchen midden, containing bones of the ox, sheep, pig, deer, hare, and bones of birds; and also shells of the limpet and the whelk. Another cave at Seacliff, near North Berwick, contained similar evidence of human occupation.—*Sculptured Stones of Scotland*, Vol. II., pp. 87-88.

The Burness Cave in the Parish of Borgue, Kirkcudbrightshire, the exploration of which commenced in 1872, presented evidence of prolonged occupation. Large quantities of the bones of animals and of birds were found in it, and also indications that its occupiers had used grain. Nearly two hundred implements,

There is always more or less uncertainty in assigning prehistoric structures to a given period ; for from the nature of the subject such evidence as exists is rarely conclusive. This is the case with the Scotch Crannogs and the Hill Forts. Both these classes of structures are prehistoric, and it would be difficult to determine which of them is the oldest. The period of the Scotch Crannogs has been placed after the departure of the Romans ; a time of darkness and confusion, which somehow seems to have been exceedingly fertile in originating new buildings and structures.<sup>79</sup> But looking at the antiquity assigned to a somewhat similar class of structures in Switzerland and Italy, which were constructed by a kindred race, and other circumstances of the people themselves associated with the Crannogs in Scotland, it appears to me highly probable that they were originated and some

tools, and objects of human art, were disinterred from this cave ; and the greater part of these implements were made of bone, comparatively few stone or bronze tools were found in it. *Pro. Soc. Antiq. Scot.*, Vol X., pp. 479-507 ; also Vol. XI.

<sup>79</sup> Dr. P. Munro, who has specially examined and has given a very interesting account of the Scottish Crannogs, and also in a larger work presented a masterly account of this class of structures in Europe ; touching those of Scotland, he says :—"There is, in my opinion, only one hypothesis that can satisfactorily account for all the facts and phenomena here adduced, viz., that the lake dwellings in the south-west of Scotland were constructed by the Celtic inhabitants as a means of protecting themselves and their movable property, when, upon the frequent withdrawal of the Roman soldiers from the district, they were left single-handed, to contend against the Angles on the east, and the Picts and Scots on the south. It is not likely that these provincials . . . would become the assailants of such fierce and lawless enemies. . . . Hence their military tactics and operations would assume more the character of defence than of aggression, and in order to defeat the object of the frequent and sudden inroads of the northern tribes, which was to plunder the inhabitants rather than to conquer the country, experience taught them the necessity of being prepared for emergencies, by having certain places of more than ordinary security, where they could deposit their wealth, or to which they could retire as a last resource when hard pressed. These retreats might be caves, fortified camps, or inaccessible islands ; but in localities where no such natural strongholds exists, the military genius of the Celtic inhabitants, prompted perhaps by inherited notions, led them to construct these wooden islands. Since the final departure of the Romans till the conquest of the Kingdom of Strathclyde by the Northumbrian Angles, a period of several centuries, this unfortunate people had few intervals of peace, and with their subjugation, ended the special function of the lake-dwellings as a national system of protection."—*Ancient Scottish Lake-dwellings*, pp. 283-284.



of them constructed in the later stage of the Bronze Age. In fact, only the origin of the Crannogs within the area of the Kingdom of Strathclyde are accounted for, on Dr. Munro's hypothesis, as he explicitly admits:—"Turning now to the Celtic area beyond the limits of the Scottish portion of the Kingdom of Strathclyde, I may at once state that there is no data derived from an examination of its artificial islands, nor any relics of their occupiers, which can give even an approximate notion of their chronological range."<sup>80</sup> Thus the question of their origin and possible age is left unsettled for the greater part of Scotland. An attempt therefore may be made to indicate the natural causes and the conditions which led to their origin and construction, without having recourse to a special line of explanation.

The area of the Crannogs and artificial islands embrace the whole of modern Scotland, excepting its two northmost counties, and one or two on its south-eastern extremity, and even in these such structures may yet be discovered. The question then is, what were the causes of their origin? We need not travel beyond the natural and known circumstances of the country and its inhabitants, and the motives of human action and effort. All Crannogs have in view one common end,—defence, protection, and security. They were probably often used as places of refuge, though no doubt they were often in many instances occupied continuously. "There is often a fort on the top of some neighbouring hill, to which the lake-dwellers may have gone when the lochs were frozen and the Crannogs open to invasion."<sup>81</sup>

In the later part of the bronze period the people of Scotland were organised and formed into strong tribes, which were separate and independent, and each tribe living under the rule of its own head. No doubt these tribes sometimes waged war with one another. But before this time, there was a strong and constant pressure from the south on the tribes to the north of the Tweed and the Cheviot Hills, which arose from fresh migrations from the Continent to the southern shores of the Island. So there was a continuous onward and outward movement of the tribes from the south of the Island toward the north, which naturally caused the tribes to construct defensive works for their self-preservation, protection, and security. Such then were the causes of the origin of the Hill Forts and the Crannogs of Scotland. As to which of those two classes of structures was the earliest,

<sup>80</sup> *Ibid.*, p. 287.

<sup>81</sup> *Ibid.*, p. 187.



I will not undertake to determine ; but that both were in use many centuries before the Roman invasion, I have no doubt whatever. Thus we have a real historic explanation of the origin of the Crannogs and the Hill Forts ; they were the effects of the state of the inhabitants of the whole Island, and the historic conditions which had arisen.

Crannogs would continue to be used so long as the circumstances of the people rendered them necessary, or till they were superseded by structures more in harmony with the conditions of society. Thus many of them may have been occasionally occupied long after the departure of the Romans, and even after the kingdom of Strathclyde was annexed to Scotland.

In many instances natural islands in lochs were selected as suitable sites on which to erect defensive works and secure dwellings. Advantage also was often taken of the natural ridges and the shallows in the bottom of the lochs, on which to construct abodes with stones or wood, and then connect them with the shore by a causeway.<sup>82</sup>

But the class of structures most frequently found in lochs in Scotland, is usually constructed wholly or principally of wood, and on that account are called Crannogs. They are pretty numerous, and a considerable number of them have been systematically explored by Dr. Munro ; and he gives the following account of the method of their construction :—“This is how they worked: 1, Immediately over the chosen site a circular raft of trunks of trees laid above branches and brushwood was formed, and above it additional layers of logs, together with stones, gravel, etc., were heaped up till the whole was grounded. 2, As this process went on, upright piles, made of oak and of the requisite length, were inserted into prepared holes in the structure, and probably also a few were inserted into the bed of the lake. 3, The rough logs forming horizontal layers were made of various kinds of wood, generally birch, it being the most abundant. These were occasionally pinned together by thick oak pegs, and here and there at intervals oak beams mortised into one another stretched across the substance of the island, and fixed the surrounding piles. 4, When a sufficient height above the water-line was attained, a prepared pavement of oak beams was constructed, and mortised beams were laid over the tops of the encircling piles, which bound them firmly together as already described. The margin of the island was

<sup>82</sup> *Pro. Soc. Antiq. Scot.*, Vol. VI., pp. 114-117 ; Vol. X., pp. 31-34, 741.

also slantingly shaped by an intricate arrangement of beams and stones, constituting in some cases a well-formed breakwater. 5, When the skeleton of the island was thus finished, probably turf would be laid over its margin, where the pointed piles protruded, and a superficial barrier of hurdles, or some such fence, erected close to the edge of the water. 6, Frequently a wooden gangway, probably submerged, stretched to the shore, by means of which secret access to the Crannog could be obtained without the use of a canoe.

"Bearing in mind that all these structures were solidly put together without nails or bolts, and that the gangways, which have remained permanently fixed to the present time, had neither joint nor mortise, we may fearlessly challenge modern science to produce better results under these, or indeed under any circumstances. Not only do these wooden islands evince much mechanical and technical skill on the part of their producers, but what is still more singular, their area of distribution appears to have been co-extensive with the districts formerly occupied by Celtic tribes. Hence we have here another proof of the extraordinary vigour, intense individuality, and plastic character of early Celtic civilisation, in thus developing, from its own inherent resources, an unique form of stronghold, simple in its structure, but admirably adapted to the unsettled conditions of life and military requirements of the period.<sup>83</sup>

The dimensions of the Crannogs vary considerably, some of them are twenty-three feet in diameter, while others are much less. The character of the relics and implements found in association with them are pretty various, embracing culinary articles, tools, weapons, and ornaments, such as cauldrons, stone-hammers, spindle-whorls, objects in bronze, bone pins, needles, and borers, and deer horn implements, and many ornaments. Altogether the collection of articles discovered in the Scottish Crannogs, indicates that some of them were frequented and occasionally occupied after the Christian era.<sup>84</sup> But this in no way proves that they were not originated and constructed, and many of them occupied at a much earlier period; indeed the very nature of the construction of these Crannogs, without nails or bolts of any kind, points to an early and prehistoric origin, and it was already observed that the primitive canoes have been often found associated with the Crannogs.

<sup>83</sup> *Ancient Lake Dwellings of Scotland*, pp. 262-264.

<sup>84</sup> *Ibid.*, p. 277; *Proc. Soc. Antiq. Scot.*, Vol. VI., pp. 121, 132, 148; Vol. IX., pp. 389, 391; Vol. XX., iii. p. 148.

The Hill Forts may be divided into three classes:—1, Those formed of earth ; 2, Those formed partly or wholly of stones ; and 3, Those formed of stones and partly vitrified. Seeing that they are all prehistoric, there seems no necessity for placing them after the Roman invasion. Although it may be quite true, that we cannot with certainty assign any of them to the Bronze Age, still I have sufficiently shown, on probably historic grounds, that the movements of the population in the island, and the tribal organisation of society, would have naturally and politically led to the construction of such defensive works ; and that at least some of these works were constructed several centuries before the Christian era. The movement of the tribes from the southern parts of the Island, inwards and outwards, issued in the first creation of historic conditions in Britain ; and the consequent necessity of efforts for self-preservation and defence. It is therefore of comparatively little importance whether the defensive works in question be assigned to the Bronze Age or the Iron Age, provided that the causes of their origin and their consecutive development can be shown, in association with the advance of the people.

The first class of hill-forts, which were probably the earliest, consists of a number of low mounds of earth drawn round the brow, or summits of natural heights. They are mostly circular or oval in form, as this was often modified by the nature of the sites selected, and the number of the enclosing mounds of earth vary for similar reasons, sometimes there are two, three, four or more, which enclose a central space. They differ from most of the other early constructions, inasmuch as they are adaptations of naturally elevated sites for purposes of defence. They are numerous and extend over the whole area of Scotland ; and, as noticed in a preceding page, they were probably sometimes used in connection with the crannogs. A characteristic example occurs on a height on the estate of Borthwick Hall, in Mid Lothian, which has recently been examined. It consists of four mounds of earth which enclose a space of 410 feet in length from east to west, and 284 feet in breadth from north to south. The mounds are only a few feet in height ; and there are three entrances to the central enclosure. This class of earthworks in general, simply consist of a series of earthen walls enclosing the highest part of a hill of moderate elevation.<sup>85</sup>

<sup>85</sup> *Chalmers' Caledonia*, Vol. I., pp. 87-98 ; *Pro. Soc. Antiq. Scot.*, Vol. XVI., p. 254, *et seq.*

The second class of hill-forts formed of stones, in some instances have only a single wall round the brow of a hill, which encloses the area of its summit; while others have two, three, or more walls drawn round the ribs of a conical hill, at short distances apart. In Argyleshire there are a number of prehistoric forts with only one line of walls: in all, there are fifty-nine forts in this ancient district: of these thirty-seven are simply enclosed by a single wall, some of which are circular or oval in form, and others whose figure follow the contour of the site, and others again on sites partly protected from attack by nature—steep crags and rocks are only partially defended by walls on the accessible sides. The greater part of the Argyle forts have had only one entrance. Out of fifty-four of these forts, sixteen are under 50 feet in length inside the walls, and four of them had outworks; twenty-four were between 50 and 100 feet inside, and seven had outworks; eight were between 100 and 200 feet in length inside, and three had outworks; and four were between 200 and 300 feet in length, but comparatively narrow. Evidence of wells of water within these Argyle forts is rare.<sup>86</sup>

The largest hill-fort in Scotland crowns the summit of a conical hill, called the White Caterthun, in the parish of Menmuir, Forfarshire. It is on a well-chosen and commanding position, overlooking the great plain of Strathmore. The central area enclosed is a long oval of about 450 by 200 feet, and this inner space represents the

<sup>86</sup> *Pro. Soc. Antiq. Scot.*, Vol. XXIII., pp. 368-431. In the same volume of the *Proceedings of the Society*, Mr. Alexander Hutcheson, architect, gives an interesting description of several hill-forts in Aberfeldy, Perthshire. One of these is on the eastern spur of Drummond Hill; and occupies the summit of a projecting rock, a site admirably chosen for defence. "The walls of the fort have followed the contour of the hill, twisting out and in to suit the exigencies of the site. The area within the walls is thus of very irregular outline, measuring in greatest longitude from north-west to south-east about 100 yards, and at right angles to this about 70 yards. . . . The walls are much broken down . . . but there are many parts where the inside and outside faces of the walls can still be traced. In one part from 16 to 20 feet in length by about 6 feet in height of the original wall may still be seen. This fragment shows that the walls had been erected of rough and massive unhewed blocks without any mortar or cementing material. The wall here is some 9 feet in thickness at the base, and is almost perpendicular externally, but in the inside it is considerably sloped. There are at some parts evidences that the ground had been raised or filled in at the back of the walls, probably to give those inside the fort an advantage in scaling the walls for defence. This feature I have observed elsewhere in similar structures." Pp. 359-361.



citadel. The inmost inclosing wall, now in ruins, was of enormous size and strength. At 150 feet from it down the slope of the hill there is a second wall, and below it the remains of a third wall; and beyond this the outer wall, enclosing an oblong area, which is supposed to have been used for a cattle-fold. As similar out-enclosures have been observed in connection with these forts, it is reasonably assumed that they were used in cases of emergency, such as war or invasion, for the protection of the live stock, on which the people mainly depended for their food and clothing.<sup>87</sup> On another hill in the neighbourhood there is a smaller fort of the same class.

Farther northward, on the Barmekyn Hill, in the Echt district, Aberdeenshire, there is a remarkable hill-fort. It consists of five concentric ramparts, which enclose the summit of the hill, and about the beginning of this century it was in a perfect state of preservation, so far as regarded the lines of fortification, though otherwise partly crumbled into ruins, and much of it removed to supply materials for the fences in the neighbourhood. The walls were about five feet in thickness, of dry masonry, and appear to have been of considerable height, but the inner rampart was twelve feet thick at the base, and several feet of its height then remained entire. The outer ditches were nine feet in breadth, and the inner one over thirty feet. The interior enclosure was reduced to a level, nearly circular, three hundred feet in diameter, and included about one acre of ground. Traces of a similar class of hill-forts may still be observed all over the country.<sup>88</sup>

The third class of hill-forts are those which show vitrification in their walls. They have attracted much attention, and yet very little decisive result as to the cause or the extent of the vitrification of their walls has been obtained. For all that has been written about these curious forts, very few of them have as yet been thoroughly excavated and explored. So far as known, there is no specimen in Scotland of a fort with its walls vitrified throughout. In every case where careful examination has been made, "vitrified portions of walling were found overlying portions built in the ordinary manner

<sup>87</sup> Roy's *Military Antiquities*, p. 47, plates 47-48. The vast and massive structure of this fort, and the immense labour which its construction must have involved, will be best understood by an examination of the plans and sections in Roy's great work.

<sup>88</sup> *Archæologia Scotica*, Vol. II., pp. 322-326. 1822.



and unvitrified." This was the result which Dr. Angus Smith obtained from his investigation of a vitrified fort at Loch Etive. And recently Mr. Macdonald examined the remains on the Hill of Noath, in the parish of Rhynie, Aberdeenshire, and found a similar result. He made wide cuts through the wall in two places down to the natural soil, and found that it consisted of a mass of loose stones in one of the sections without any vitrification whatever, and in the other section it was only vitrified at the top. This is a valuable contribution, as it touches the precise points which must be determined before satisfactory conclusions can be formed, as to whether the vitrification is structural or incidental; or, in other words, a result of design or the effect of a long series of incidental agencies and circumstances.<sup>89</sup>

Examples of partially vitrified forts occur on Craig Phadrig, a conical hill near Inverness; one at Dunnideer, in the parish of Insch, Aberdeenshire; another at Finhaven, near Aberlemno, in Forfarshire; one on the Hill of Barry, Perthshire; several in Galloway, and in other quarters of the country. But they are not peculiar to Scotland, though this has sometimes been asserted. A considerable number have been observed in France, and also in Bohemia.<sup>90</sup>

The Hill-Fort of Dunsimane caps a conical hill, 800 feet in height, and it presents some peculiarities which have not been found in connection with any other of this class of structures. The hill on which it lies is detached from the surrounding hills by valleys, and it commands a wide prospect of the country; on the south, the Sidlaw Hills, the Carse of Gowrie, the estuary of the Tay, St. Andrews, and the hills of Fife; and to the north the plain of Strathmore is seen stretching out, till terminated by the range of the Grampians. This fort had several walls originally, but the remaining rampart is mostly

<sup>89</sup> *Pro. Soc. Antiq. Scot.*, Vol. IX., p. 396, *et seq.*, Vol. X. p. 70; Vol. XI., p. 298; Vol. XII., p. 13; Vol. XXIII., pp. 371-373. Mr. Macdonald, of "The Farm," Huntly, conducted his investigations on the remains of the fort on the hill of Noath at the instance of the Huntly Field Club; and it may be said, with truth, that these local clubs fill a useful place, and sometimes make important additions to prehistoric facts and natural science collections. Mr. Macdonald's paper, giving an interesting account of his examination of the walls of the fort on the Hill of Noath, has just been published in a volume, along with other local historic matter of great value.

<sup>90</sup> *Ibid.*, Vol. III., pp. 451-453; Vol. VII., p. 301; Vol. VIII., pp. 145-155; Vol. IX., pp. 397, 398; *Sculptured Stones of Scotland*, Vol. I., pp. 451, 453; *Memoires de la Soc. Antiq. de France*, Vol. XXXIII., p. 83, *et seq.*

composed of earth, intermingled with large stones, and some parts of it is twenty feet wide at the base, and from six to eight feet in height. Some fragments of the rampart are vitrified. The enclosed space measures 150 yards in length by 70 in width. In its south-east side, two underground chambers were discovered, twenty feet in length, and from six to eight feet in width, and about six feet in height. These chambers communicated with each other, near their ends, by two narrow passages, and the floors were paved with undressed slabs. The walls of the chambers were built of undressed stones, which at the height of three feet began to converge until the roof was closed by flagstones. The floors were covered with ashes and refuse, consisting mostly of the bones of horses, and cattle, and deer horns. A quern was found in one of the passages; and in another, portions of three human skeletons.<sup>91</sup> So far as known, this is the only Scottish hill-fort associated with underground chambers—a peculiarity which seems to indicate that it may belong to the Stone Age.

Having noticed the defensive works which the prehistoric people deemed it necessary to construct for their self-preservation and protection; and, although we have no direct evidence touching the character of their common dwellings, we know that they possessed herds of cattle, and that they made provision for the safety of their flocks in times of danger and of war. In their every-day life in times of peace, we may imagine them tending their flocks in the valleys and on the hill sides; and making in summer what preparation they could to provide a store of food for their cattle in winter. In all probability life with them was not nearly such a severe struggle as it is even with most of us at the present day; and if at times they had to endure privation, they had also times of real enjoyment and rejoicing. Let us again turn attention to the disposal of the dead, and the phenomena associated with it in the Bronze Age.

Interments in the Bronze Age are found under various external circumstances, and present many differences in their underground phenomena. Bronze Age burials have been discovered in cairns, in circular areas fenced off by standing stones, in natural knolls and gravelly hillocks; and urns and cists, have often been found in places where no external signs of them appeared to the eye. A few

<sup>91</sup> *Pro. Soc. Antiq. Scot.*, Vol. II., pp. 95-97; Vol. IX., pp. 378-380; Anderson's *The Iron Age*, p. 281.

examples of these several modes of burial, with their overground and underground appearances and associations, will now be presented.

At Collessie in Fife, a cairn consisting of a mass of stones and boulders, covering a space of one hundred and twenty feet in diameter, and rising in its centre to a height of fourteen feet, was excavated in 1076-77. In its centre a cist formed of slabs was found on the natural surface of the ground. The inside of the cist was four feet six inches long, and three feet wide in the centre; and among the gravel in the bottom of it some portions of the unburnt bones of a human skeleton were found in a condition of extreme decay. In one of the ends of the cist, a clay urn was lying on its side. The urn was high and well formed of a fine paste which had been baked at an open fire; and though made without the aid of the wheel, it was nearly regular in its outline; and its ornamentation consisted of groups of parallel lines alternating with bands of zigzag and short lines. On a further examination of the subsoil underneath the cairn, two spots were discovered which indicated previous disturbance. These turned out to be deep pits; and after the loose gravel was thrown out, in the bottom of the pit fragments of an urn was found amongst ashes and charcoal. In the other pit at the depth of four feet there was a layer of burnt bones, about an inch in thickness, and spread over a space of from three to four square feet; and portions of a human skull and the vertebral column were recognised among the bones. A thin dagger blade of bronze, measuring six inches in length, was found in this pit; and thin dagger blades are a usual feature of Bronze Age interments.<sup>92</sup>

The above may be taken as an example of a Bronze Age cairn burial; and I will proceed to other modes of interment. Although many casual discoveries of single urns have occurred, still it would require an exhaustive examination of each separate site to warrant the conclusion that the casually found urn interment is not one of a group. Where such investigations have been made, it has generally been found that the site of the casually discovered interment was a cemetery; thus indicating the use of the site as a family or tribal burying-ground over a long period.<sup>93</sup>

Such cemeteries have been discovered in many places throughout the kingdom. Recently at Lawpark, near St. Andrews, a cremation cemetery was discovered, in which twenty urns of a cinerary type

<sup>92</sup> Anderson's *Bronze and Stone Ages*, pp. 3-8.

<sup>93</sup> *Ibid.* p. 28.

were found, varying in size from ten to sixteen inches in height, and from eight to eleven inches in diameter; and two small bronze blades were found amongst the burnt bones. In 1845, when workmen were engaged trenching a rocky knoll in the parish of Creich, Fifeshire, they discovered twenty-one urns, of which fourteen were placed singly in a straight line about three feet apart. About six years ago, a cemetery was found in a gravelly knoll at Shanwell, in Kinross-shire, and among the burnt bones a fine specimen of a thin oval bronze blade was found. At Magdalen Bridge, between Musselburgh and Joppa, a cemetery was discovered in excavating a sandpit, which contained nine urns, and one thin bronze blade associated with them. In 1849, at Lesmurdie, Banffshire, in a sandy height five cists associated with small urns and chips of flint were found; these were unburnt interments. At Genock, in the parish of Straiton, Ayrshire, a cremation cemetery was found, and removed in levelling the ground for the foundation of a dwelling house; and about a dozen urns were there destroyed. In 1878, in making a branch railway, a group of interments were discovered at Dalmore, in Ross-shire, which consisted of ten interments in cists of flat stones set in gravel; and two of them contained bronze implements. Nine of these were burnt burials, but only one urn was found, a few beads, a flint knife, and other objects of stone and bone.<sup>94</sup>

Stone circles were once exceedingly numerous in every quarter of Scotland, and though cultivation and other agencies have effaced many of them, still considerable numbers remain. Merely considered externally, these circles present a fine variety of forms and figures, and various degrees of constructive elaboration. Some of them have one ring of stones, others two or three; and while some groups are oval in form, others aim at the perfect circle. The stones which form these circles in all their variations are rough and undressed; excepting that on some of the stones traces of cup and ring cuttings have been observed. A large number of the smaller stone circles, as already indicated, have been supposed to be the foundations on which the huts of the early inhabitants were erected. But many of the areas within stone circles and standing stones, were the cities of the dead in the Bronze Age, and perhaps even later: as a series of careful

<sup>94</sup> *Pro. Soc. Antiq. Scot.*, Vol. I., pp. 205-211; Vol. VI., pp. 217, 218, 276-278, 388-391, 394-418; Vol. VII., pp. 24, 198, 401-407, 475; Vol. VIII., pp. 166, 466; Vol. IX., pp. 158-160, 268-270; Vol. X., pp. 43, 739; Anderson's *Bronze and Stone Ages*, pp. 28-51.



excavations and recent investigation have shown that many of the stone circles were places of burial.

Many stone circles and single standing-stones still exist in the Island of Arran, though many have been removed to make way for agricultural improvements, and others have disappeared through various agencies. The late Dr. James Bryce, having obtained the permission of the Duke of Hamilton, made a series of careful excavations of a number of areas within stone circles in the Island of Arran. In 1860 he investigated six stone circles on Mauchrie Moor, in the townland of Tormore ; and stone cists and interments were discovered in five of them, two urns, flint chips, twelve flint arrow-heads, a bronze pin, a skull, and other human remains. The urns were wide-mouthed, one seven-and-a-half inches high, and the other six-and-a-half inches, and their surface was ornamented in bands of oblique lines and impressed markings. This group of Arran interments is of much value as evidence of the purpose of the standing-stone circles.<sup>95</sup>

Many years ago a series of very careful investigations were made by Mr. Charles E. Dalrymple, which have yielded invaluable materials for the elucidation of the original purpose of the standing-stone circles. A group of seven interments, within a circle of six upright pillar-stones, was disclosed by Mr. Dalrymple at Tuack, near Kintore, in Aberdeenshire. These were cremation burials, and associated with large urns of the bronze period type. At Crichtie, in the same district, another group of interments was found within a circular area, marked off by a trench twenty feet wide ; and within this trench there had been a circle of six standing-stones, and a seventh one in the centre, five of which had been removed for building purposes. In the centre of the circle, under the apparent surface of the ground, a cairn of stones was disclosed, fifteen feet in diameter ; and a cist was found underneath the cairn which contained the remains of an unburnt human skeleton. Near one of the stones of the circle an urn was discovered, containing a cremation interment ; and at the foot of another stone a deposit of incinerated bones was found, and near it another of a similar character. At the same spot a finely-made stone hammer-head was found. Several other interments were found in different parts of the area, one of which was in a small cist, and another in a well-formed urn. At Fullarton, also in the Kintore district, seven interments of incinerated human bones, associated with

<sup>95</sup> *Pro. Soc. Antiq. Scot.*, Vol. 1V., pp. 499-524.



fragments of urns, and one unburnt interment, were found in a circle of twenty-eight feet in diameter; only three of the stones of the circle remained, two of which were fallen and broken. In other districts of Aberdeenshire deposits of human remains have been found in the areas of many stone circles, the most of which were cremation interments.<sup>96</sup>

In other quarters of the country similar results have been obtained in the areas of the stone circles, wherever thorough investigation has been made. And it appears, so far, that the same conclusion may be deduced with reference to another class of monumental stone-settings, consisting of groups of upright stones which are not arranged in a circular form. These are not nearly so common as the circular classes, and, so far as yet ascertained, their occurrence in Scotland is limited to the counties of Caithness and Sutherland; but there seems reason to believe that they also occur in Wales. The evidence, so far as it has yet gone, is distinct in indicating their sepulchral association.<sup>97</sup>

Thus, by the recognition of the result of careful investigation, the stone circles of Scotland have been divested of much of their mystery, and the mass of quasi-historical relations which had so long shrouded them in a haze of misty notions.

It seems necessary to supplement the two preceding sections by a brief expository statement, and a summary of the results of our information about the people to the opening of the Christian Era. As to the length of the stone period in Scotland there is no very definite

<sup>96</sup> The results of these investigations were briefly but ably stated in Dr. Stuart's two volumes of the *Sculptured Stones of Scotland*, see Vol. I., pp. 19-25, *et seq.*; Vol. II., Appx. to Pref., pp. 22-24; Leslie's *Early Races of Scotland*, Vol. I., p. 209.

<sup>97</sup> Anderson's *Bronze and Stone Ages*, pp. 125-126. "From these facts it appears that, while a certain uniformity in the phenomena of the burials exists in smaller areas, there is a wide diversity exhibited in more extended areas. As our knowledge of the facts increases in its range and speciality, as the nature of these variations is gradually ascertained, and their limits defined with precision, the time will come when their significance, with relation to the areas in which they are manifested, may be determined. At present we are unable to define, with any degree of accuracy, the limits of the area over which stone circles are found, and equally unable to say within what limits they are found to contain burials assignable to the Ages of Bronze or Iron. But this we are in a position to say, from existing evidence, that, so far as they have yet been investigated in Scotland, their nature and purpose has been clearly determined to be sepulchral." *Ibid.*

data, still we are not altogether in the dark concerning its probable duration:—1, Considering the length of time which it must have taken the people of the Stone Age to spread over Scotland after they had crossed the Tweed and the Cheviot Hills. 2, Then the evidence of a lengthened occupation implied in the great structural monuments which they erected in honour of the dead; and also the earth-houses which they built for their self-preservation and protection from the storm and frost of a northern climate. Further, it may be reasonably presumed that for a considerable length of time after they had spread over the country, they would have been fully engaged in providing the necessary means to preserve and sustain their own lives, and consequently could not have had leisure to construct elaborate monuments to the departed; for it is not when men are striving and struggling to the utmost to preserve their existence that they betake themselves to raise monuments to the dead. So it may be fairly assumed that the chambered cairns of Caithness, Argyle, Inverness-shire, and Orkney, were not erected until the people had attained a certain measure of comfort, organisation, and leisure. All this must have required a long period for its realisation, making due allowance for the natural conditions and the circumstances under which the people lived. 3, It has been indicated that probably the floor of a single chambered cairn served as the burial-ground of a family or tribe for several generations before the chamber was covered and the structure completed. Thus, when two or three chambered cairns occur near to each other, which is frequently the case, they may represent in that locality the successive interments of several centuries. 4, The evidence deducible from the traces of other remains—stone weapons and tools and the sites of their manufacture, and primitive boats discovered in positions which indicate that they were deposited in such spots at a far distant period. 5, The analogy of other Northern countries, such as Jutland and the Danish Islands, in which it has been shown on reasonable grounds that the Stone Age commenced 3000 years before the Christian era.

Taking into account these considerations and indications, it will appear highly probable that Scotland was inhabited at least 2,800 years before the Christian era, and that the southern parts of the island were inhabited several centuries earlier. Indeed, it is doubtful if this limited period will be sufficient to meet all the conditions and circumstances of the case, and it must be distinctly understood

that I have advanced this statement as approximate only, and subject to revision on the attainment of more reliable data.

Touching the probable date of the introduction of the use of bronze weapons and implements into Scotland, it is impossible to speak with any approach to certainty. As already pointed out, there was no rapid introduction of metal weapons and tools; on the contrary, the change from the use of stone tools to those of bronze was a slow transitorial process, and in some districts of the country longer or shorter than in others. From such available indications as we have, it seems probable that bronze weapons and implements began to be introduced in the southern and south-western districts of Scotland between 1200 and 1000 B.C., and that at first they came from the south of the island, and from Ireland, and at a later stage they were manufactured within the country. The introduction of bronze in the southern region of the island has been placed at some 1200 or 1400 years B.C., and in Denmark about 1000 years B.C.<sup>98</sup> My view would give a duration of the bronze period in Scotland of eight or nine centuries, which at least is not too long when the distinctive and characteristic development of many of the bronze weapons and implements produced within the country is taken into account.

It is probable that iron was known and used in the south of the island in the third or fourth century B.C., and in Scotland about the second or third century B.C. But no rapid change took place from the use of bronze to that of iron in the manufacture of weapons and tools, the transition was extremely slow and gradual. Indeed, comparatively little iron was produced in Britain till quite recent times. In all probability the first manufactured iron articles used in Scotland were imported, still there are some indications that the process of smelting iron was known in the country at a pretty early period.

Having thus briefly indicated the probable length of the period since Scotland has been continuously inhabited, and the stages which the people have passed through in prehistoric times, I will next attempt to indicate concisely the social state of the people and their religion, but this effort must be incomplete from the lack of available information and evidence.

It has already been incidentally mentioned that the Stone Age

<sup>98</sup> Evans' *Ancient Bronze Implements, etc., of Britain*, pp. 473, 479; J. J. A. Worsaae's *Pre-history of the North*, p. 205, *et seq.*, 1886. Greenwell calculates that a period of 700 years may be allowed during which bronze was the metal used for making cutting tools and implements in Britain.—*British Barrows*.

people, while alone in possession of the country, had attained a certain degree of social organisation. As they were of one race it is unlikely that there was much war amongst them. That they lived in families or tribes composed of a large number of individuals may be deduced from the monuments erected over their dead ; and that the heads of tribes could command the service of a number of men to execute work is obvious. Whether they were polygamists or monogamists seems uncertain, but some writers have supposed that polyandry was practised amongst them. Whatever form of family relations prevailed among them, there can be no doubt that they were organised in pretty large communities. Besides possessing cattle and horses, it seems probable that they knew the use of some of the cereals, and had begun to sow small patches on the elevated grounds. The earliest indications of agriculture in this country occurs on some of the hilly ridges.

There seems to have been a strong element of animal worship associated with their religion. From the constant occurrence of animal remains in large quantities in the chambered cairns both in England and in Scotland, this appears to be a reasonable inference ; as the slaughter of the animals at the funeral feasts merely for the purposes of eating and ceremonial does not sufficiently account for the way in which the animal remains are mingled with the human remains. It may be that some notions of a relationship between the spirits of animals and those of men existed in the minds of these people ; if so, they may have reasoned thus :—Seeing that animals were exceedingly useful to man, and believing that animals had spirits or souls as well as men, the spirits of these animals might be assumed to be useful and agreeable companions for the spirits of the dead. These people simply looked at the death of an individual as the passing out of his spirit from the body, which spirit might wander about and return to the body or hover around its remains. Thus it appears that their religion would practically consist of a worship of ancestors associated with the spirits of animals. The occurrence of the remains of dogs in the chambered cairns seems to lend support to this view. That this religion, when it came into contact with that of the Celts, would leave some traces of such contact on the Celtic tribes of Scotland is more than probable.

Concerning the social state of the Bronze Age people, during which the Aryan Celts had completed their dominion over the earlier race, we have rather more reliable evidence. The Celtic tribes were mono-



gamists in their family relations and domestic arrangements ; but the sexual relations, the family customs, and organisations of the earlier race, seem to have influenced the social relations of the Celtic tribes in Scotland, more or less, for a long period. In the Bronze Period the people were living in a well organised condition, under the tribal forms of government. Owing to causes already indicated, historic conditions had arisen which had the effect of consolidating a number of the smaller units of families into one strong tribe, under a common head ; and in this way the tribes had attained a considerable degree of social and political organisation. Thus within each large tribe there was a sort of federation which embraced a considerable number of the smaller tribal divisions, and such a tribe could act with decision and effect. But when it became necessary for a number of these large tribes to unite and act in concert for their mutual defence against a common enemy, they appear politically not to have been sufficiently advanced to take the full advantage of this means of united action when the day of peril and of battle came. Hence the Romans explicitly state that if the British tribes had been thoroughly united amongst themselves, the task of conquering them would have been much more difficult, if not impossible. As it was, it took the Romans, with all their combined resources and disciplined legions, forty years to fight their way from the Thames to the Firth of Forth.

Regarding their material resources, in relation to their social condition, the evidence is pretty ample. They possessed herds of domesticated animals, oxen, sheep, horses, and swine, and they cultivated grain to some extent. They manufactured some kind of woollen cloth, and made pottery. Their food consisted largely of the flesh of the domestic animals and of the milk thence derived, and to a less extent of fish, the products of grain, and wild animals. Their dress consisted partly of animals skins prepared for the purpose, and partly of the cloth above mentioned. That some at least of the people of the Bronze Period were occasionally magnificently attired, is amply proved from the numbers of massive gold ornaments, and armlets and necklaces, which have been found in every quarter of Scotland, and numerous ornaments of other materials, pins of various patterns and styles, beds, and buttons. Thus far, the material and social condition of the people appears to have been well advanced, and it is quite conceivable that they may have lived in a state of comparative comfort and enjoyment.

As to the religion of the early Celtic tribes of prehistoric Scotland,



no evidence of an organised priesthood has as yet been discovered. Little importance can be attached to Cæsar's literary account of the Druids and the druidical worship, at least in their relation to the tribes of Scotland, for there is no evidence that such a class of religious teachers ever existed in any part of it. Our ground is thus at once cleared of a mass of apocryphal notions and doctrines which too long obtained currency. Such religion as the Celtic tribes actually had, differed but little from that of the other branches of the Aryan race, even from that of Rome herself, excepting that in our cold and cloudy region it was not so elaborate as at the centre of the civilised world.

Their religion was polytheistic, with a strong element of ancestor worship in it. Just as Cæsar himself was worshipped as a god in Rome, so in Scotland the Celts often worshipped the souls of their departed heroes. They sometimes worshipped many gods, which represented in more or less mythological forms the personified powers of nature; and one of the oldest and favourite epithets of the Deity in Gaelic is, "the King of the elements" of nature. They had some five or six great gods, and a number of minor ones.

The Celts had a vivid belief in the existence of the human soul after death. Ancestor worship was undoubtedly the mainspring of their creed. This was the leading characteristic of the religion of the Northern Aryan people long after it ceased to be entertained in Rome and Greece.<sup>99</sup> So intense and realistic was the Celts' belief in the future existence of the human soul, that it was said money loans

<sup>99</sup> "Cæsar, as supreme pontiff of Rome, declared, in his place in the Senate, his utter disbelief in another life, and the stern Cato but mildly replied that their ancestors, men perhaps as wise as Cæsar, believed that the guilty after death were sent to the noisome abodes full of horrors and terrors. But the classical belief, even at its best—in the poems of Homer—gives but a poor, shadowy, comfortless existence to the spirits of the dead. . . The ghost of Achilles says to Ulysses: 'Rather would I live on earth as a poor man's hireling than reign among all the dead.' The gods lived on the heights of Olympus, aloft in Heaven, and far apart from the hated abode of the dead, which lay under the earth and ocean. Mortals were all consigned to the grisly realm of Pluto. . . Among the Romans ancestor worship had a stronger force than in Greece. Their feast of the dead was duly celebrated in the later half of February, when chaplets were laid on their tombs, and fruit, salt, and corn soaked in wine, were the least costly offerings presented to them. The deification of the Emperors was merely a farther development of this ancestor worship." *Celtic Mythology*, by Alexander Macbain, M.A.

were sometimes granted on the understanding that they were to be repaid beyond the grave. This may be an exaggeration, still there is no doubt that the Celt's realisation of a future life was from a very early period intensely firm, as it is to this day among the same race.

There were three Gaelic festivals of a distinctively characteristic kind:—1, Beltane, held on the first of May; 2, Lammas, on the first of August; 3, Samhnirm or "summerend," in modern Scotch, Halloween. Originally they were all associated with fire and sun worship, sacred to the gods of fire, of light, and of earth. The great festival of Beltane on May-day was associated with rites relating to fire-worship, divination, and incantation.<sup>100</sup> The Lammas-day feast seems to have been connected with the rites of the sun-god; and the festival of Hallowe'en was sacred to the gods of fire, of fruits, and of death. Traces of survivals of this worship in a more or less disguised form may still be observed in Scotland, though every year they are becoming less frequent.

Having touched on the social condition and the religion of the pre-historic peoples, in conclusion, I will recapitulate the leading points of the two preceding sections.

I. Opening with a detailed description of the indispensable weapons and tools of the Stone Age race, it was shown that these people manifested remarkable skill, taste, and industry in the manufacture of their weapons and implements. In some points of the manufacture of flint tools and weapons they attained to a degree of skill and perfection in the art which modern science cannot surpass with all its resources and appliances. This side of their culture presents a striking illustration of the great result which persistent human efforts can produce, even with the most imperfect means.

1. Coming to the remarkable series of chambered and horned cairns of the Stone Age, it was remarked that in the phenomena and re-

<sup>100</sup> In relation to the Beltane festival I have an experience of my own to record. Forty-three years ago, when I was a boy in the service of a large farmer in the Valley of the Deveron, in Aberdeenshire, our master ordered my elder brother and I to make a bonfire on the first of May. I asked my brother what was the meaning of it. He smiled, and said "it was to burn the witches." At the same time we were ordered to cut branches of rowan tree and to place pieces of it above every door about the farm—"to keep out the witches." This was done every year in the first of May at the farm in question. It is a good example of the survival of a rite, in the form of an incantation, transmitted from the pre-historic period, and the very festival of which I have spoken above.

mains disclosed in these cairns, we reached the representative of primeval man in Scotland. After presenting a concise account of the external and internal structure of the cairns, and of the deposits contained within their chambers, I then touched on the resemblances of the chambered cairns of Caithness and the Long Barrows of England, as indicating that one homogeneous race inhabited the whole island. Other groups of chambered cairns were described. Reference was then made to certain inferences drawn from the state of the human remains found in these cairns, such as that this race were addicted to cannibalism and other horrible practices; but it was shown that the evidence on which it had been attempted to prove the prevalence of these practices was totally inconclusive. Explanation of a novel character was then advanced, to account for the condition in which the remains were found in the cairns.

2, The question of whether any trace of the dwellings of the Stone Age people now existed in Scotland was discussed. It was shown that in all probability the earth-houses were originated and a number of them constructed by the Stone Age people. A description of these curious structures followed; and it was pointed out that they had probably been associated with overground huts. After noticing the primitive boats, it was observed that the monuments of the Stone Age had long survived the wreck of many empires.

II. The Bronze period was next treated. The question of the introduction of bronze was touched on, and the transitional stage from the use of stone weapons and implements to the use of those of bronze, was briefly handled.

3, A reference was made to some of the hoards of bronze weapons, tools, and articles found in Scotland. A description of the various bronze weapons, tools, and ornaments, including many gold ornaments, was presented; and in which it was indicated that many of these were manufactured in Scotland. The variety and numbers of the gold ornaments was specially noticed, and their significance as a feature of the period indicated.

4, A question was then raised touching the traces of the dwellings of the people in the Bronze period; and the sites of early settlements were indicated. The structures called crannogs were then treated; their probable origin and the period of their construction was discussed; a brief description of the method of their construction, and the articles discovered in them, was given. The several classes of hill-forts, designed like the crannogs for protection and security, were

next dealt with ; and their characteristics and peculiarities concisely described.

5, The burials of the Bronze period were handled, and the various modes of disposing of the dead noticed : such as cairn interments ; stone cist interments ; urn interments in collective groups ; and the underground phenomena associated with them. Bronze Age burials within circular areas of standing stones were also treated ; and it was observed that many of the stone circles were now divested of the mystery which had been so long ascribed to them.

6, Finally, a brief explanation of the social state and the religion of the prehistoric peoples was given. Reviewing the whole series of objects and subjects noticed in the preceding pages, we cannot fail to be struck by the manifestation which they present of the intelligence, the skill, the industry, and the determined and persistent efforts of these men of the Stone and Bronze periods. They have exhibited a degree of united action for common ends and mutual protection, a power of designing and a concentration of the faculties of mind steadily directed to the accomplishment of definite results, which is truly surprising. They had attained to a stage of culture and of civilisation which places them far in advance of what is often loosely termed the savage and barbarian stages of human society. And, once for all, let it be said in accordance with truth and reality, that our brave and heroic ancestors, who have struggled through so many centuries and difficulties to preserve intact their liberty and independence, were not mere barbarians at the date of the Roman Invasion.<sup>101</sup> Placed as they were in the last recess of liberty, they preserved it to succeeding generations.

## SECTION VI.

### *The Roman Period.*

After the attempt of Julius Cæsar in B.C. 55 to conquer Britain, nearly a century elapsed before another invasion of the island was essayed. In the year A.D. 43, the conquest of Britain was begun ; but proceeded at a slow pace. The tribes in the southern division of

<sup>101</sup> If the term barbarian means a want of humanity, then the Romans themselves were as much barbarians as the Celtic tribes of Britain, for witness what Cicero himself said : "It is the greatest pleasure in life to see a brave enemy led off to torture and to death."



the island faced the Roman legions and fought bravely; and for many years little advance was made. A number of tribes collectively called by the Romans the Brigantes, occupied the extensive region now known as Yorkshire, Lancaster, Westmoreland, Cumberland, and Northumberland, and extended into the border counties of modern Scotland; and the tribes to the north of this and inwards were called by the Romans the Caledonians. The Brigantes contested the advance of the Roman legions and fought bravely. By the year 77 the Roman province had been extended nearly to the Solway Firth, and the legions were making great efforts to subdue the inhabitants.

In the year 78 Agricola was appointed to the chief command in Britain. He was an able and experienced general, and immediately engaged in the work before him. In the summer of 79, he probably marched north by the west coast of Cumberland, and advanced through the border counties of Scotland. In that region his advance was contested at every step by warlike tribes, habituated to strife and battle; but they were unable to stem the progress of the disciplined legions. During the winter Agricola was engaged in taking hostages from the tribes, whose territories the Roman troops had overrun, and in making arrangements to secure the subjection of the natives. The following year Agricola determined to advance farther northward and attack the Caledonians in their stronghold; but the tribes made a vigorous resistance. He seems to have penetrated through Stirlingshire and passed the Forth, but it is doubtful if he advanced much farther; and he carefully secured some portions of the territories through which his army had passed, by erecting forts and forming camps as outposts in the most commanding positions. After Agricola had discovered the natural features of the country so far, and the spirit of the inhabitants, he fixed on the ground lying between the Firths of Forth and Clyde for his main line of defence; and the summer of 81 was spent in erecting a chain of forts along this line.<sup>1</sup>

Afterwards the Roman General was engaged for several years in subduing the country between the Firths of Forth and Tay. He seems to have penetrated into some parts of Fifeshire, while his fleet sailed round the coasts; but the Romans failed to conquer the district between Kinross and Muckcross. Afterwards he formed his

<sup>1</sup> *Mon. Hist. Brit.* pp. 44-45; *Caledonia*, Vol. I., pp. 103-104; *History of Cumberland*, by R. S. Ferguson, M.A., pp. 21-22.



army in three divisions, not far apart from each other, in order to meet the contingency of a surprise ; and then, with the assistance of the Roman fleet, Agricola slowly advanced towards the Tay. The Caledonians, having ascertained the disposition of Agricola's army, resolved to attack one of his divisions, the Ninth Legion. At midnight they assailed it, and fought their way through the gate and into the heart of the Roman camp ; but Agricola himself, with the fleetest of the horse and foot came to the rescue. When day dawned the Caledonians had to fight the Ninth Legion on the one hand, and the reinforcement on the other ; and the brunt of the struggle was at the gate of the camp, where the intruders had to fight their way out. The Legions were victorious, and the Caledonians retired under cover of the marshes ; but they were not disheartened. Agricola learned, as the season passed, that the tribes were combining to strike a blow, and were removing their wives and children to places of safety. Both combatants were preparing for the struggle, which was to determine whether the Romans were to obtain dominion over the whole Island.<sup>2</sup>

In the beginning of summer 86, Agricola sent his fleet round the coasts to ravage the seaboard, and alarm and intimidate the inhabitants. He then advanced with his army to Mons Grampius,<sup>3</sup> and there the Caledonians were posted for battle. The native troops numbered 30,000, men under the command of a leader called Galgacus ; and as it was the custom for the leaders of armies to address their

<sup>2</sup> *Mon. Hist. Brit.*, p. 45.

<sup>3</sup> There has been much conflict of views as to the locality where this battle was fought. Chalmers placed it at the camp at Ardoch ; Professor John Stuart, of Aberdeen, placed the locality of the battle above the town of Stonehaven, Kincardineshire. He maintained that the Roman army was posted upon the extended plain, exactly above Stonehaven, and the Caledonians upon the face of the hills above Urie House, directly opposite to the Romans. *Archæologia Scotica*, Vol. II., p. 300. Dr. Burton abandoned the attempt to fix the site of the battle as hopeless. Dr. Skene has placed it :—"On the peninsula, formed by the junction of the Isla with the Tay, are the remains of a strong and massive vallum, extending from the one river to the other, with a small Roman fort at one end, and enclosing a large triangular space, capable of containing Agricola's whole troops, guarded by the rampart in front, and by a river on each side. . . . On the heights above the plain are the remains of a large native encampment, capable of containing upwards of 30,000 men." *Celtic Scotland*, Vol. I., pp. 52, 53. Dr. Skene thinks that this site agrees with Tacitus' description better than any other locality in Scotland.

troops on the eve of a battle, so Tacitus, the historian, puts a speech into the mouth of the leader of the Caledonians, which is too important to be passed over :—" When I reflect on the causes of the war, and the circumstances of our position, I feel a strong persuasion that our united efforts this day will prove the beginning of universal liberty to Britain. For we are all undebased by slavery, and there is no land behind us ; nor does even the sea afford a refuge, whilst the Roman fleet hovers around. Thus the use of arms, at all times honourable to the brave, now offers the only safety even to cowards. In all the battles yet fought against the Romans, our countrymen have reposed their final hopes in us ; for we, the noblest sons in Britain, and therefore placed in its last recesses, far from the view of servile shores, have preserved even our eyes unpolluted by the contact of subjection. . . . The extremity of Britain is now disclosed, and whatever is unknown becomes an object of magnitude. But there is no nation behind us, nothing but waves and rocks, and the still more hostile Romans, whose arrogance we cannot escape by cringing and submission. Those plunderers of the world, after exhausting the land by their devastations, are rifling the ocean, stimulated by avarice if their enemy be rich, by ambition if poor, unsatiated by the east and by the west, the only people who behold wealth and indigence with equal avidity. To range, to slaughter, to usurp, they call empire, and where they make a desert, they call it peace.

" Our children and kindred, by the decree of nature, are rendered the dearest of all things to us, and these are torn away by levies to serve in foreign lands. Our wives and sisters, though they should escape the violation of hostile force, are polluted under the names of friendship and hospitality. Our estates and possessions are consumed in tributes, our grain in contributions, and even our bodies are worn down, amidst stripes and insults, in clearing woods and draining marshes. . . . Since then all hopes of mercy are vain ; let those at last assume courage to whom safety, as well as to whom glory, is dear. The Trinobantes, even under a female leader, had force enough to burn a colony and storm camps, and if success had not damped their vigour, would have been able to throw off the yoke ; and shall not we, untouched, unsubdued, and struggling not for the acquisition but for the security of liberty, show at the first onset what men Caledonia has reserved for her defence ? Can you imagine that the Romans are as brave in war as they are licentious in peace ? Acquiring renown from our dissensions, they convert the faults of

their enemies to the glory of their own army—an army composed of the most different nations, which, as success alone has kept together, misfortune will certainly dissipate, unless you suppose that Gauls and Germans and Britons, who, though they expend their blood to establish a foreign dominion, have been longer its foes than its subjects, will be retained by loyalty and affection? No! terror and dread alone are their weak bonds of attachment, which once broken, they who cease to fear will begin to hate. Every incitement to victory is on our side. The Romans have no wives to animate them, no parents to upbraid their flight; most of them have either no home or a distant one. Few in number, ignorant of the country, looking around in silent horror at woods, seas, and a haven itself unknown to them, they are delivered by the gods, as it were, imprisoned and bound into our hands. Be not terrified by an idle show, and the glitter of silver and gold, which can neither protect nor wound. The Britons will recognise their own cause, the Gauls will recollect their former liberty, the rest of the Germans will desert them, as the Usipii have lately done. Nor is there anything formidable behind them—ungarrisoned towns, colonies of old men, municipal towns—distempered and distracted between unjust masters and ill-obeying subjects. There is a General, here an army; there tributes, mines, and all the train of punishments inflicted upon slaves, which, whether to bear eternally or instantly to revenge, this field must determine. March then to battle, and think of your ancestors and of your posterity!”

When Agricola saw the lines of his enemy he was afraid of being outflanked, and extended his own line to the utmost. His front consisted of 8000 auxiliaries and 3000 cavalry on the wings; the Legions or Roman soldiers were held in reserve, and placed behind the centre. The native army was well posted on the heights, their front line stretched along the border of the plains, the second line on the side of the hill, and the reserve behind it and farther up the hill. On the plain the native charioteers and horsemen were moving and rapidly manœuvring, as if to provoke attack. The battle began and raged with great fury. While the fighting was with missiles at a distance the native troops held their ground, and the charioteers drove back the Roman cavalry and threw them into confusion; but Agricola sent forward five cohorts to charge the native footmen with swords. For this weapon they were not prepared, and their first line fell back; the whole Roman line then advanced to the charge.

Still, Galgacus tried a flank movement with his reserve, but it failed ; the chariots at last became entangled amongst the broken ground, and a defeat ensued. The Caledonians retired in order, and repeatedly attempted to check the pursuit of the Romans, but many of the natives were slain ; and 350 of the Romans fell. The Roman General did not pursue the Caledonians far ; and from various circumstances it seems evident that he had not achieved a decisive victory. After taking hostages from some of the tribes between the Tay and the Forth to prevent them from joining the native army, he returned to his winter quarters, south of the Firths of Forth and Clyde, with his army. Shortly after he was recalled to Rome.<sup>4</sup>

It appears from the brief and vague notices of Roman writers, that the Imperial troops had to maintain an incessant struggle with the northern tribes in Britain. In short, the whole of the country which Agricola had overrun, in a few years resumed its independent state, and the Roman province on the north was limited to the same boundary as when he first commenced his campaigns. The northern tribes even between the Tweed and the Firths of Forth and Clyde seem to have been little effected by Agricola's conquests. Between the years 120 and 138, the Romans built a wall from the river Tyne to Bowness on the Solway Firth, which is usually called Hadrian's wall. It is about seventy-three miles in length, and consisted of a stone wall strengthened by a great ditch on its northern side, and an earthen rampart to the south of the stone wall ; and military stations, forts, watch-towers, and roads for the accommodation of the legions, who manned the bulwarks, and the transmission of military stores. The stone wall and the earthen wall were generally within sixty or seventy yards of each other, but the distance between them varied with the nature of the ground. The stone wall was about eight feet in thickness and about twenty in height ; and it consisted of a facing on each side of dressed stones, the core was of concrete filled in between the facing stones ; the whole forming a solid mass which depended for its strength on the quality of the concrete. Connected with this great barrier there were a number of very large stations, fortified barracks with guard-houses, and upwards of 300 watch-towers at about a quarter of a mile from each other, with much stronger forts between every fourth or fifth watch-tower.<sup>5</sup> In short it appears to have

<sup>4</sup> *Mon. Hist. Brit.*, pp. 46, 47, 48 ; *Caledonia*, Vol. I., p. 113.

<sup>5</sup> Bruce's *The Roman Wall ; History of Cumberland*, by R. S. Ferguson, M.A., pp. 78-97 ; 1890.



been one of the most complete and massive lines of defensive works ever constructed by the Romans.

About twenty years later the Romans constructed another wall, which commenced at Bridgeness on the Firth of Forth and crossed the country to near West Kilpatrick on the Clyde, a distance of twenty-seven miles, and probably on the line of Agricola's frontier; it ran along the ridge of the southern rising grounds. This wall consisted of earth and stone works, forming a rampart of about twenty-four feet in breadth at the base and some twenty feet in height; and a very wide and deep ditch ran in front of the wall along its whole course, which faced the region of the Caledonians. There was a paved way five feet broad close to the foot of the wall, and a series of watch-towers within call of each other in which sentinels watched day and night; and eighteen great forts placed on the most commanding positions at intervals of about two miles. A paved military road followed the line of the wall on the southward side.<sup>6</sup> This was the barrier especially intended to keep the Celtic tribes of Caledonia at bay; and from this time until the Romans left the island it was the northern boundary of the province.

So it was the strip of territory between these two walls that the Romans occupied in Scotland, and even there they were never long permitted to hold undisputed possession. In 182 the tribes of the north broke through the wall, slew the commander and a number of the soldiers who guarded it, and wasted a portion of the province. About the beginning of the third century the tribes of the north had overcome the legions, and were overrunning the province, laying it waste, and driving off booty. So in the year 208 the Emperor Severus arrived in Britain, and at once proceeded to take steps to restore order, and retaliate on the independent tribes. He concentrated all the available troops in the island; and advanced into Scotland with a great force, passed the wall which guarded the frontier, and marched forward and attempted to penetrate into the heart of Caledonia. Severus tried by throwing bridges over the rivers, cutting down the woods, and making roads in every direction, to render the country passable for troops. But this was more difficult than he had imagined. He may have advanced some distance northward of the Tay, along the east coast, but it is extremely doubtful if Severus ever reached the river Dee, far less the Spey or the shores of the Moray Firth. Let

<sup>6</sup> Roy's *Military Antiquities; Caledonia*, Vol. I., pp. 116-119.



the circumstantial evidence be fairly considered, and it will appear highly improbable that Severus penetrated to the Spey.

Severus only arrived in Britain in the year 208, and his campaign beyond the frontier of the province in Caledonia could hardly have commenced before 209. It is stated, that after he concluded a peace with the native tribes, he returned southward and superintended the reconstruction, or at least the repair, of the wall between the Forth and Clyde. Having thus completed his work and settled everything, he then returned to York. After he had been some time in York, tidings that the Caledonians were again in revolt reached him, and we are told that he was only prevented from recommencing a war of extermination by his death, which occurred at York in 211.<sup>7</sup> Thus it appears that the duration of Severus' campaign north of the Forth must have been very limited indeed, and at the utmost it could not have lasted much longer than one year. It is said that he lost 50,000 men during the campaign, although he fought no battle. If his army numbered 100,000 men, it is extremely difficult to conceive how such a number of men could have been supplied with food in the heart of a hostile country, especially without the co-operation of a fleet. If, within the limited period of one year, Severus and his army erected bridges over the principal rivers from the Firth of Forth to the Spey, constructed one great military road to secure his line of communication between the same points—through marshes, woods, and rocks—and made other roads in all directions, besides forming great camps here and there between the supposed points of the commencement and the termination of the campaign. In reality it seems most probable that the scene of Severus' campaign did not pass beyond the limits of Perthshire; for if he had left this region unconquered behind him, the advance through the eastern Lowlands to the Spey would have been a military and political blunder which no Roman General was likely to commit. The only thing certain about Severus' campaign is that it produced no permanent result whatever.

After the death of Severus, his son Antoninus became Emperor, who made peace with the native tribes, and left the frontier, of which he had been in charge. A long period of silence as to the state of North Britain followed. Toward the end of the third century Carausius, a native of Belgium, who had risen to high

<sup>7</sup> Skene's *Celtic Scotland*, Vol. I., pp. 82-90.

rank in the Roman army, assumed the purple himself, and ruled Britain independently for a period of seven years. In the early part of the fourth century the Emperor Constantine seems to have been at war with the northern tribes; and by the middle of the same century the relative positions and the historic conditions had entirely changed, for Rome herself was fast verging towards dissolution. Toward the end of this century the northern tribes were sometimes called Picts, and at the same time the Scots and Saxons were mentioned among the assailants of the Roman province in Britain; the attacks of these tribes had become incessant, while the Romanised Britons were beginning to be left to their own resources. Disorder was rapidly spreading in all quarters of the empire. At this time the generals in command in Britain frequently assumed the title of Emperor, and always fought to obtain the purple and universal sway; owing to this the Roman province in Britain was completely drained of troops. The tribes outside the walls were constantly harassing the Romanised population, and in 407 Constantine advised the Britons to abandon the districts between the walls and to concentrate their efforts to protect the remainder of the province by manning the southern wall to the utmost of their power. He then passed over to Gaul, withdrawing all the available troops in Britain, and henceforth the imperial sway ceased in Scotland.<sup>8</sup>

## SECTION VII.

### *Chief Tribes of the Country from the Fifth Century to the Foundation of the Monarchy.*

In the preceding section we have seen that the Roman occupation of a portion of the country must have in some degree affected the Celtic inhabitants within the walls. In fact, the tribes from the southern borders of modern Scotland to the wall between the Forth and Clyde were greatly affected by their subjection to the Romans; but whether they were improved as men is another matter. A little

<sup>8</sup> *Mon. Hist. Brit.*, pp. 53, 62, 63, 66, 68, 70, 75, 79, 80, 82, 83. In the early years of the fifth century the local army in Britain set up three Roman Emperors—Marcus, Gratianus, and Constantine---and the latter, as stated in the text, crossed the Channel to Gaul with his army, and left Britain utterly undefended. Long before this time, however, several of the generals in Britain usurped the authority of Emperors, as recorded in the passages cited above.

Roman blood may have been infused into the veins of the natives during the two centuries and a half of contact with their masters; but it seems that they retained their own language, and were not in that relation Latinised. In short, it is certain that they soon ceased to have any Roman institutions, and that when the legions departed and left them to their own resources, they were comparatively helpless. They struggled, however, to preserve themselves from destruction though not with much success, for the independent tribes tormented and robbed them, in spite of the great advantage which the walls should have afforded to them for defence against their outside enemies. But new historic conditions then came rapidly into operation, though unfortunately we have no detailed records of them, and must interpret partly by the light of prior and subsequent results.

In the third section the affinities of the tribes inhabiting Britain prior to the Roman occupation were clearly indicated. It was then apparent that the tribes in the south of Scotland and those in the north of England were of one race—Celtic people speaking Aryan dialects. But long before the Romans left the island, another race, the Saxons, had appeared upon the coasts of Britain, and repeatedly attacked the Roman province.<sup>9</sup> After the final departure of the Imperial troops, the Saxons and Angles invaded the southern parts of Britain in force, and commenced a fierce and ruthless war with the Britons to obtain the possession and dominion of the country. But only confused, incomplete and traditional accounts of this struggle have been preserved, which were subsequently coloured according to the view considered necessary to justify existing conditions from time to time. In the circumstances it was natural that the Britons in the south of Scotland should assist their kindred in the north of England. As many of the Britons in the southern and south-eastern parts of the island were either massacred or driven northward by the invaders; at last the cruelly oppressed Britons made a stand for life or death in the north. The result, however, as far as can be seen, was that the

<sup>9</sup> Dr. W. F. Skene has stated that tribes of Frisians, people akin to the Saxons, had made settlements on the shores of the Firth of Forth, and extended along the shore of Forfarshire, and perhaps as far as Stonehaven in the fourth century, and also in Dumfriesshire. But such evidence as he adduces, is indeed far from conclusive. See *Celtic Scotland*, Vol. I., pp. 145-146, 191-192, 231; and also, *Proc. Soc. Antiq. Scot.*, Vol. IV., pp. 174-175, 179, where he discusses the matter at length.

Britons in the north of England were cut off from their kindred in the south-west of Scotland by the advance and success of the Angles.

The Britons who occupied the portion of the country subdued by the Romans in Scotland, formed the small kingdom of Strathclyde, which comprised the counties of Ayr, Lanark, Renfrew, Peebles, Dumbarton, portions of Stirling and Dumfries. Their chief stronghold was the fortified rock on the right bank of the Clyde, now known as Dumbarton Castle. Their kingdom was exposed to the attacks of the Angles or Saxons from the south, and to those of the Scots from the west and the Picts from the north. The Angles of Northumbria at times reduced the Britons to the position of a tributary people, and for centuries portions of Strathclyde were often plundered and wasted by the other tribes. Still the Britons of Strathclyde struggled hard and long to preserve their kingdom, it passed through many vicissitudes, and it finally became absorbed in the rest of Scotland early in the eleventh century. The body of the people, however, long retained their Celtic speech, and as late as the twelfth century were sometimes called Welsh.<sup>10</sup>

The Picts were of the same race of tribes as those whom the Romans called Caledonians, simply Celtic tribes. They were first called Picts by a Roman orator, Eumenius, in a panegyric on Constantine in the year 296, and in the succeeding century the term Picts was frequently applied to the tribes beyond the wall by Roman writers. The name Picts, as used by the Romans, is thus an external one, and there is no evidence whatever that these Celtic tribes themselves then knew that they were called Picts, so entirely is the name an outside one, in the sense in which it was applied to them by the Romans. The earliest native record relating to the Picts is the Pictish Chronicle, which seems to have been composed about the end of the tenth century. Two separate editions of it are preserved, one of which is supposed to have been compiled in Abernethy and the other in Brechin, and it is plain that the opening sentences about the Picts in this chronicle were drawn from Roman sources. There is no evidence that these tribes called themselves Picts, and consequently there never was a Pictish language in Scotland, for these tribes which were first called Picts by the Romans simply spoke Celtic dialects; and this is all that we are ever likely to discover about their language.

<sup>10</sup> *Chronicles*; Robertson's *Scotland under her Early Kings*, Vol. I., pp. 16-19, 54-55, 70-72.



For a century after the departure of the Romans there is little definite information about the northern tribes of Britain. It has been conjectured that the Pictish monarchy was founded in the fifth century; but it is extremely doubtful if their political organisation can in any sense be called a monarchy. So far as can be ascertained, the Picts seem rather to have been living under a rude and half-developed confederacy than a settled hereditary monarchy. They had no settled form of succession to the kingship. In short, it is more than probable that the king or chief was elective, and dependent on his followers for his position. The Picts were never united as one organised political society, they were always divided into tribes, for we read of the southern Picts, the Picts of Galloway, and the northern Picts. The truth seems to be that they were merely a number of strong but separate Celtic tribes.

In the sixth century these Celtic tribes, called Picts, occupied the whole of Scotland on the north of the Firths of Forth and Clyde, excepting the district of Argyle, then called Dalriada, which was held by the Scots. The Pictish and Scottish tribes were separated from each other by the Drumalban range of mountains, which separates the modern counties of Argyle and Perth. To the north of the mountain range, called in early times the "Monuth," which extends from Ben Nevis to near the east coast between Stonehaven and Aberdeen, the country northward of this, from sea to sea, was occupied by the northern Picts, while the region thence extending southward to the Forth, was occupied by the southern Picts; but beyond the Forth, in the district of Galloway, the inhabitants, Celtic tribes, were called Picts. Thus it appears that the tribes which were called Picts were not living under a monarchy or one king. There is no evidence whatever to show that Galloway had not been continuously occupied by Celtic tribes from prehistoric times down to the Middle Ages. It is said that St. Ninian, who began his mission in Galloway and founded a church there, converted the southern Picts to Christianity.<sup>111</sup>

The Saxons (or the Angles as they were sometimes named) reached

<sup>111</sup> *Historians*, Vol. VI., pp. 25, 58, 71, 77, 87, 258; Vol. V., pp. 14, 274-281; Dr. Skene's *Celtic Scotland*, Vol. I., pp. 131, 238. Professor John Rhys, in his course of Rhind Lectures, has recently treated at length of the ancient peoples of Scotland, with much learning and discrimination. So far as he touches on the Picts, his remarks and suggestions are interesting and instructive, though mainly based on philological grounds.



the southern parts of Scotland in force about the middle of the sixth century, and before the end of it they had established themselves in Lothian. They pressed severely on the Britons of Strathclyde, as already mentioned, and extended their conquests on every side, and at last ventured into the territories of the Picts. In 685, Egfrid their King attempted a bold stroke, advanced with his followers and crossed the Forth at Stirling, and penetrated into the heart of the Pictish territory; continuing his advance, he crossed the Tay and marched fearlessly onward. But on the 20th of May, in a narrow pass of the Sidlaw Hills at Dunnichen, the Picts faced him, and a great battle ensued, in which Egfrid himself was slain, and few of his army escaped from the fatal field. The victory was complete; and it had the effect of severing the district between the Tay and the Forth from the influence which would have tended to make it a part of England. The Saxon clergy fled from their chief seat at Abercorn and thence removed to Yorkshire; from this date the power of the Northumbrian state began to wane.<sup>12</sup>

But the body of the people south of the Forth in Lothian remained essentially Saxon throughout all the subsequent conflicts and changes, perhaps even more Saxon than in any part of England, in speech and custom. It is certain that they absorbed and superseded the Celtic Britons in this region at a comparatively early period, and ample evidence of this will appear as the narration proceeds.

The Scots whom we know came from Ireland, appear to have come and gone at different times. They were mentioned among the assailants of the Roman province in Britain in 360; and it may be presumed that a pretty close intercourse between them and the Celtic tribes of the west of Scotland had prevailed for long before this date. There may have been several migrations from Ireland to Scotland at different periods, but their final settlement in Argyleshire occurred about the end of the fifth century. When the three sons of Ere, Lorn, Fergus, and Angus, with their followers, obtained possession of Argyle, which they called Dalriada. They sometimes came into conflict with the Britons of Strathclyde, and with the Picts. It seems highly probable that the language of the Scots was more developed than the cognate speech of the Picts, seeing that Ireland had not prior to this time been invaded and harassed by external enemies as the Pictish tribes had been. If this was the case, it would partly ac-

<sup>12</sup> Bede, B. IV., Ch. 26; *Chronicles*, pp. 72, 351.

count for the disappearance of the dialects spoken by the Celtic tribes called the Picts.<sup>13</sup> These Irish settlers were already Christians. The kings of the small state were all descended from the race of Erc, and there is in the Chronicles and Irish Annals a long list of them ; but such details as exist concerning their reigns yields comparatively little real historic results.<sup>14</sup>

Aidan was the first of the Dalriadian rulers who manifested real ability and character. He was solemnly inaugurated as King of Dalriada by St. Columba in the Island of Iona. It appeared that the Scots in Dalriada (Argyle) had as yet been merely considered as a colony dependent on the King of Ireland ; but the newly crowned Aidan and St. Columba attended a convention held at Drumnceat in 575, and in which the King of Ireland agreed to recognise the independence of Scotch Dalriada and its princes ; so Aidan was the first independent king of the Irish-Scottish kingdom in Argyle and the neighbouring Isles. Aidan became associated with the Britons of Strathclyde, and in 603 the Scots and Britons united their forces and resolved to try issues with the advancing Angles, who were led by their king, Aedilfrid. Aidan advanced and entered the territory of

<sup>13</sup> Although I believe there is no satisfactory evidence of writings in native Irish before the introduction of Christianity, still the Irish branch of the Celtic language had no doubt reached a considerably higher stage of development than the Celtic dialects then current among the Pictish tribes in northern Britain. On a matter of this nature, however, it must always be remembered that prior to the introduction of printing, there were only an extremely small fraction of people who could read or write, or appreciate the difference between a literary language and the dialect of their own local district. To imagine anything else, is simply to throw back the ideas and appliances of a latter age into periods when the known conditions and circumstances of society exclude the possibility of their existence or application. See Dr. Todd's *St. Patrick*, pp. 346-351, 391-399, 506-513 ; *Ancient Laws of Ireland*, Pref. to Vol. I., pp. 8-12, *et seq.*, and the general Pref. to Vol. III., pp. 148-163.

<sup>14</sup> An elaborate "Genealogical Table of the Dalriadic Kings, and of the principal Highland families in Scotland descended from them," will be found in Dr. Wm. Reeves' edition of Adamnan's *Life of St. Columba* : and in a note to the table, he says, "The authorities here followed are :—The Tract on the Men of Alba, in the Book of Ballymote, and the Genealogical MS. of MacFirbis ; and the Duan Albanach : all MSS. in the library of the Royal Irish Academy. Some supplemental matter is borrowed from the Pedigrees printed in the *Collectanea de Rebus Albanicis* ; and the chronology is chiefly based on the Annals of Tighernach and Ulster." According to this Table the Marmaers of Moray, the clans Maclean, Mackenzie, and Mackinnon, were descended from the Kings of Dalriada.

the Angles by the vale of the Liddel; and at a place called Dawstane the opposing armies encountered each other. After a severe battle, Aidan was completely defeated, and many of his followers slain, but he retreated with the remainder of his army. He died in 606, after a reign of thirty-one years, and was succeeded by his younger son, Eocha Buide.<sup>15</sup>

Another new historic condition came into operation which had an important influence on the subsequent history of the island. This was the appearance of the bold and vigorous race variously described as Danes, Norwegians, Norsemen, Scandinavians, and Vikings. These names all refer to one kindred race, but in the subsequent pages I will in general follow the common collective name of Norsemen when referring to them. They were not only exceedingly brave in attack and in battle, but also very skilful in constructing small vessels, and in steering them through the raging seas, running them up the inlets and through the narrow channels, and into the firths and estuaries, and out again, with a mastery of seamanship unapproached by any other people of that period. Thus they attained to a power and influence in Europe for several centuries which their mere numbers otherwise could never have commanded. At first their inroads and expeditions were usually undertaken for plunder, but by-and-bye, when they came upon a locality which seemed a desirable possession, their instinct prompted them to occupy it if they thought themselves able to hold it. Thus their views of conquest and of empire developed with their success, and they established themselves in several parts of Europe as the ruling power for a time, and in some places permanently. They began to infest the Northern and Western Isles and the coasts of Scotland toward the close of the eighth century, and persistently continued not only to subdue and occupy many of the islands but also to make attacks upon the mainland at many points along the coasts.

While the Norsemen were feeling their way amongst the Isles, and eagerly casting their eyes on Scotland as they steered round it in their vessels at no great distance from the shores, and occasionally

<sup>15</sup> Reeves' *Adamnan*, ed. 1857, pp. 197-203, 436; *Chronicles*, p. 17. "The house of Lorn furnished a few provincial kings, produced a powerful race of Thanes (among whom was the ever-famous Macbeth), and finally became represented by a group of great Highland chieftains, whose descendants still abound in those isles, the historical vestiges of thirteen hundred years' succession." *Ibid.*, p. 438.

landing whenever they found an opportunity, the chief tribes in the country—the Picts, the Scots, the Britons, and the Saxons—were intently engaged in an intermittent warfare with one another, which seemed to be producing little result. In the seventh and eighth centuries these tribes often met in conflict, on debatable territory, between the Tay and the Forth, and between the Forth and the water of Almond, in the counties of Stirling and Linlithgow; in these districts many of their battles were fought. In short, it had become apparent in the seventh century that the banks of the Tay would be the original centre of the historic kingdom. This was mainly owing to a series of causes, which may be briefly indicated thus:—1. The unsubdued Celtic tribes still occupied Perthshire and Fife and Kinross, and the natural advantages which arose from the possession of this extensive region were very great, from every point of view. 2. To the northward and the eastward of the Tay the whole country was in the possession of the Celtic tribes. 3. While the region to the south of the Forth had been subdued and occupied by the Romans, and since their departure from the island the advance and success of the Angles on the south of the Forth, and their firm settlement in the Lothians, even though Pictish tribes still held Galloway, the existing conditions and circumstances clearly pointed out the banks of the Tay as the original centre of the historic kingdom. Accordingly Scone had become the chief seat or the capital of the Pictish tribes at the beginning of the eighth century. While Perth, in its immediate vicinity, became an important town, and Dunkeld, fourteen miles farther up the Tay, the ancient stronghold of the Caledonians, and the very gate to the central Highlands, became for a time the chief religious centre of the kingdom. Farther down below Scone, on the estuary of the Tay, there had long before this been an important settlement where the city of Dundee now stands. There can be no reasonable doubt that the famous Coronation Stone was in Scone, at the beginning of the eighth century, on which the kings were installed to the throne.

But the struggle between the different tribes continued till a pretty complete nationality was evolved. In reality the formation of a nation is often a much longer process than the creation of an empire, for mere force can never produce it, or a single great man, as it must have time to grow and form affinities, assimilate adverse elements and features, and subdue opposite interests and influences, till at length that unity on which combined action and organisation for



common ends and the safety of the whole community comes into being, and then national life begins to operate. It took more than two thousand years to form the Scottish nation, and we have yet to note the most important stages of the process.

Angus, son of Fergus, appears to have fought his way and mounted the Pictish throne about the year 731. He attacked the territory of the Scots in Argyle and wasted the whole country in the year 736. It is said that he founded the monastery of St. Andrews. After a reign of thirty years he died in 761; and he was succeeded by his brother, Bruide, who reigned two years, and died in 763. A number of Pictish kings follow, but the events of their reigns are of little historic value. Constantine, who fought his way and ascended the throne of the Picts in 790, founded the church of Dunkeld; and after a reign of thirty years died in 820. His brother Angus, son of Fergus, succeeded him, and for five years he ruled over the kingdoms both of the Picts and Scots, and he died in 834. This was followed by a contest for the throne of the Picts, in which Alpin the Scot, who attacked the Picts, was slain.<sup>16</sup>

But Kenneth, son of Alpin the Scot, succeeded his father in the small kingdom of Argyle in the year 839. The same year the Norsemen invaded the territories of the Picts and inflicted a crushing defeat upon them. This may have afforded the opportunity to Kenneth M'Alpin to make a supreme effort to obtain the Pictish throne. Bred appears as the last of the line of Pictish kings, and Kenneth M'Alpin placed himself upon the Coronation Stone at Scone in 844, thus becoming the real founder of the historic kingdom of Scotland. This great event, however, must be interpreted as the result of the long struggle of the chief tribes, as the accumulating force of circumstances and the necessities of life, and the new influence of a common religion, naturally tended to a greater concentration of power under some one of the leading tribes. Thus the foundation of the monarchy marked two distinct stages: 1, it concentrated more power in the original centre, whence the historic kingdom was gradually extended outward; 2, it supplied a continuous influence which operated effectively, though slowly, in developing the loose elements of separate tribal communities into a nationality. Hence-

<sup>16</sup> *Chronicles*, 138, 201, 209; Dr. Skene's *Celtic Scot.*, Vol. I., pp. 288, 296, 299; *A Sketch of the History of Fife and Kinross*, by Sheriff Æ. J. G. Mackay, pp. 8-9.



forth the internal and external causes and agencies which have contributed to the formation of the kingdom, the development of the nation, and the progress of civilisation, may be continuously traced

The actual kingdom which Kenneth M'Alpin obtained, only comprised a limited portion of modern Scotland. It consisted of the district of Argyle, the counties of Perth, Fife, and parts of Forfar, Dumbarton and Stirling, with Scone as its chief seat of royalty, and Dunkeld as its centre of religious influence. The districts beyond this centre on the north-east, the west, and the south, were only gradually, and with extreme difficulty subdued, as the nation developed to its ultimate limits. After the establishment of the monarchy, under M'Alpin, the reigning rulers were called Kings of the Picts, then Kings of Alban, and not till the tenth century was any part of the country called Scotland, but from the opening of the eleventh century this name gradually came to be applied to the whole country.

Kenneth M'Alpin was a brave and able prince ; but the circumstances in which he was placed needed all his energy, as the newly acquired territories were surrounded by bold and hostile foes ; but he heroically faced all his enemies, and stifled in the bud any questions of his right to the kingdom, throttled the claims of all competitors, and asserted his supremacy. After a brilliant reign, according to the ideas of his time, having governed the Picts and the Scots jointly for sixteen years, he died in his dun at Forteviot, on the river Earn, in 860. It appears he had two sons, Constantine and Aed, and three daughters.<sup>17</sup>

## SECTION VIII.

### *Introduction of Christianity.*

The advent and spread of Christianity produced a great revolution in many parts of the globe. The Christian religion was a prime factor in the development of Scotland, as it became closely associated with the government, the institutions, the education, the music, the literature, the amusements, and the life of the people ; indeed, its influence operated from the cradle to the grave.

It has been said that Christianity was early introduced into Britain. Although with the utmost effort to reach the truth, the

<sup>17</sup> *Chronicles*, pp. 9, 21, 64, 65, 84, 135, 154, 361, 362.

mass of legends are difficult to digest. It is almost impossible to extract any definite historic information from such statements as these :—"Meanwhile the most blessed man, St. Ninian, being pained that the devil, driven forth from the earth within the ocean, should find rest for himself in a corner of this island in the heart of the Picts, girding himself as a strong wrestler to cast out his tyranny ; taking moreover, the shield of faith, the helmet of salvation, the breast-plate of charity, and the sword of the Spirit, which is the Word. Fortified by such arms, and surrounded by the society of his holy brethren as by a heavenly host, he invaded the empire of the strong man armed with the purpose of securing from his power innumerable victims of his captivity, whereupon, attacking the Southern Picts, whom still the Gentile error which clung to them induced to reverence and worship deaf and dumb idols, he taught them the truth of the Gospel and the purity of the Christian faith, God working with him, and confirming the Word with signs following."<sup>18</sup>

This worthy man was amongst the first teachers of the new faith in Scotland. He was the son of a British prince, and was educated in the Christian faith at Rome, and visited St. Martin at Tours, in France. His life was written by Ailred, a monk of the twelfth century, but it contains little reliable information ; he rather presented a picture of the Church of his own time than an account of the life and labours of St. Ninian. Bede lived nearer to the saint's time, and records that Ninian converted the Southern Picts, and built a church of stone, which was unusual among them. This church was in Galloway, at a spot called Whithern, and it developed into a monastery.<sup>19</sup>

A few incidents will indicate the character of the matter embodied in the life of St. Ninian.\* One day, when the saint and his brethren assembled to dinner, there were no pot herbs or vegetables on the table. Ninian asked the reason of this, and was told that all that remained of the leeks had that day been committed to the ground, and the garden had not yet produced anything fit for eating. Then the saint ordered the brother to whom the keeping of the garden was entrusted to go and bring to him whatever he could find. The man, knowing that Ninian would order nothing in vain, entered the garden, and behold ! leeks and other kinds of herbs not only grown

<sup>18</sup> *Historians*, Vol. V. ; *Life of St. Ninian*, pp. 14, 15, 274-281.

<sup>19</sup> *Mon. Hist. Brit.*, pp. 175, 176.

but also bearing seed. He was much astonished, and thought that he saw a vision, but on returning to himself, and recollecting the power of the holy man, he thanked God, and then culled as much herbs as seemed sufficient, and placed them on the table before the saint. The brethren looked at one another, and magnified God working in his saints.<sup>20</sup>

St. Ninian restored the sight of a king of Strathclyde, on whom God had inflicted the punishment of blindness for his pride and opposition to the saint, and when thus subdued and healed the king became friendly, and a ready supporter of the servants of Christ. Ninian died in 432, and was interred in his own church at Whithorn. His biographer affirmed that the relics of the saint worked many miracles. "That at his tomb the sick were cured, the lepers cleansed, the wicked terrified, and the blind restored to sight; by all which our Lord Jesus Christ, who liveth and reigneth with God the Father in the unity of the Holy Ghost, world without end. Amen."<sup>21</sup> We know, from later sources of evidence, that the relics of St. Ninian were objects of intense veneration down to the period of the Reformation.

But the best evidence of the mission of St. Ninian in Scotland, and his place in the grateful remembrance of the people, is shown in the number of churches dedicated to his name. Churches were dedicated to him in twenty-five counties, stretching from Wigton to Sutherland, but his churches were most numerous in Ayrshire and Forfarshire; in all, upwards of sixty churches were dedicated to him.<sup>22</sup>

It appears that the southern tribes of the Picts and the Strathclyde Britons had been only slightly touched by St. Ninian's mission. This is not surprising; although it is clear that the early teachers of Christianity in Britain and in Ireland adopted an easier mode of proceeding than the modern missionaries in heathen lands. The early saints allowed many of the old and existing notions of the people to remain intact, and simply turning, or professing to turn them, to beneficial ends. This is the natural and reasonable way of accounting for the many miracles attributed to the saints, which were merely the counterparts of ideas and notions then floating among the tribes and in the minds of the inhabitants. To suppose, as has sometimes been

<sup>20</sup> *Historians*, Vol. V. ; *Life of St. Ninian*, p. 16.

<sup>21</sup> *Historians*, Vol. V. *Life of St. Ninian*, pp. 11, 12, 23-26.

<sup>22</sup> *Ibid.* Introd., pp. 13-19. The late Bishop of Brechin, in his valuable *Calendar of the Scottish Saints*, gave a detailed list of St. Ninian's churches.

done, that these miracles were invented for the purpose of enhancing the power and importance of the clergy, only evinces an imperfect perception of the essential characteristics of the condition of the people and the period, and a defective appreciation of the operations of the human mind. No doubt the early teachers of Christianity in Scotland and elsewhere firmly believed in their power of working miracles, for this belief was in their minds, or something very similar to it, before they became Christians. Thus it was only a continuation and a higher development of their former notions and feelings, not at all a newly invented belief, as something very like it had existed in the country many centuries before this period. We will meet with curious and amusing illustrations of it almost to the end of our history.

About the middle of the sixth century St. Kentigern, better known as St. Mungo, began his work amongst the Britons of Strathclyde, where he encountered many and great difficulties. The people were nearly all heathens, and all the energy of the saint and his working of miracles produced little impression upon them. When King Morken ascended the throne, he scorned and despised the life and doctrine of the saint, openly resisted him, and attributed his miraculous powers to magical illusion. Then they came face to face, and the saint asked for some supplies of food to the brethren of the monastery; but the king spurned his petition and inflicted new injuries on him. He said to the saint—"Cast thy care upon the Lord and He will sustain thee, as thou hast often taught others, that they who fear God shall lack nothing, and that those who seek the Lord shall have everything which is good. Thus, though thou fearest God and keepest His commandments, thou art in want of everything, even thy necessary food; while to me, who neither seek the kingdom of God nor the righteousness thereof, all prosperous things are added, and plenty of all sorts smileth upon me. Thy faith, therefore, is vain, and thy teaching false." The saint pleaded that it was part of the inscrutable ways of God to afflict just and holy men in this life, while the wicked were exalted by wealth; and yet the poor were the real patrons of the rich, seeing that the labour of the poor sustained the rich as the vines were supported by the elm. The king rose in a passion, and said—"What more desirest thou? If trusting in thy God, without human hands, thou canst transfer to thy mansion all the corn in my barns, I yield with a glad mind and gift, and for the future will be devoutly obedient to thy requests."



When evening came the saint prayed earnestly to the Lord. Then, behold ! the rain poured down in torrents, the waters of the Clyde rapidly rose into a flood and overflowed its banks where the king's barns were, and carried them down the stream, and landed the whole at the saint's dwelling, beside the Molendinar burn, which then flowed near the place now called the Salt Market in Glasgow. But the miracle only enraged the king, who uttered many reproaches against the saint, and when he approached the king rushed on him and struck him with his heel and smote him to the ground upon his back. The time had come to manifest the divine power on behalf of the saint. As Cathen, the king's adviser, had instigated the whole matter, so after mounting his horse to ride off, and laughing at the saint's discomfiture, his prancing steed stumbled, and the rider falling backward broke his neck and expired before the king's gate. The king also was smitten with a swelling in his feet, which ended in his death, and the same disease afflicted his family till it became extinct.<sup>23</sup>

But the saint was forced to leave Strathclyde, and went to Wales, where he laboured many years. Afterwards, when King Riderch reigned in Strathclyde, the saint returned and spent the remaining years of his life amongst the Britons. This king seems to have favoured the saint, and promoted his labours among the people. After an active and earnest life spent in the service of humanity, St. Kentigern died about the beginning of the seventh century. Besides attaining to the rank of local saint of Glasgow, under the name of St. Mungo, his memory became widely and greatly revered in Scotland. He also left the impress of his energy on the people of Wales and of Cumberland, as in the latter district eight churches were dedicated to his name. His tomb and relics at Glasgow were objects of extreme veneration down to the period of the Reformation.<sup>24</sup>

Before passing to the northern part of the country, the important labours of St. Cuthbert must be noticed. He was born on the southern side of the Lammermoor Hills, and when a boy followed a shepherd's life. But Nature had gifted him with fine sensibilities and a glowing imagination, united in a vigorous physical frame, and the inner cravings of his mind led him to Melrose and to adopt a religious

<sup>23</sup> *Historians*, Vol. V. *Life of St. Kentigern*, pp. 69-72, 348.

<sup>24</sup> *Ibid.*, pp. 73, 88-95, 118, 119, 348-370 ; *History of Cumberland*, by R. T. Ferguson, M.A., p. 114, 1890.



life. He became the apostle of the border counties. From his retreat at Melrose he carried his teaching of the Gospel to the people in the glens and the hillsides of the Cheviots and the Lammermoors, Ettrick, Teviotdale, Yarrow, and Annan Water. In his missionary efforts among the inhabitants of these localities he often spent several weeks at a time, and then returned to his monastery, like the bird to the ark. His energy was very great, and he faced toil and hardship bravely and cheerfully in the service of God and humanity. Afterwards St. Cuthbert was elected Bishop of Lindisfarne. Thus he became a conspicuous and worthy saint in the annals of the English Church.<sup>25</sup> He died in 687.

The most renowned of the early saints who introduced Christianity among the northern tribes of Scotland was St. Columba, as all have recognised in him the features of a veritable hero. He was very fortunate in having two of his successors as biographers, who were near enough to his own time to give their accounts of him a special value. Though we may regret that Adamnan's *Life of St. Columba* affords so little information about the state of society in his time, still we should recollect that it was intended for the instruction of his own age and contemporaries, not for the enlightenment of a remote posterity. Thus, in full harmony with the spirit of his time, and the notions and feelings of his own class, Adamnan makes "the Prophetic Revelations, the Miraculous Powers, and the Apparitions of Angels," the main themes of his life of Columba. Assuredly these were the matters of interest to the monks, so it is only incidentally that facts relating to the real world were introduced. Meagre as the work is of facts, it does contain notices of customs and references to notions then floating in the minds of the inhabitants which are nowhere else to be found.

St. Columba was born on the 7th of December, 521, at Gartan, in the county of Donegal, in Ireland. He was closely related to the royal families of his native country, which gave him a great advantage from the outset of his career. He was carefully educated in

<sup>25</sup> *Mon. Hist. Brit.*, pp. 242-243. The materials for the life and career of St. Cuthbert, and the many interesting incidents associated with him, are exceedingly voluminous, but the following are the main sources:—1, An Anonymous Life; 2, the Prose Life by Bede; 3, the Metrical Life by Bede; 4, the History of the Translation of his Body; 5, the Libellus of Reginald; 6, a number of Miscellanies. See T. D. Hardy's Catalogue of the Materials relating to the History of Britain, Vol. I., pp. 297-317.

Ireland, and when a youth became a pupil of the famous bishop, St. Finnian. About the year 553 he founded the monastery of Durrow, his chief institution in Ireland. It appears he was connected with some of the political disputes of his countrymen, and in 561 the battle of Cooldrevny was fought, and it was suspected that Columba had instigated it. A synod was assembled to excommunicate Columba, but the assembly was not unanimous, and protests were entered. What effect, if any, this may have had on his future course cannot be ascertained, as he left Ireland without any stigma on his character, repeatedly revisited it, and was received with the highest respect.<sup>26</sup>

In 563 Columba, with twelve companions, embarked in a wicker-boat, covered with hides, and after touching at Islay, landed and settled on the small isle of Iona. It lay on the confines of the territories of the Scottish and Pictish tribes, and Connal, the ruler of the former, gifted it to Columba, and shortly after its possession was confirmed to him by Brude, the King of the Picts. As Iona lay on the outskirts of the dominions of the two chief tribes, it afforded a convenient centre for intercourse, and there St. Columba founded his chief monastery, and thence sent forth missionaries to convert the rude tribes of the north of Scotland. The Scots of Argyle were then nominally Christians, but the Picts were not, and it was amongst the latter that Columba mostly laboured. He often visited the mainland, and gained a remarkable influence over its chiefs. He at first encountered many difficulties, but the native energy and spirit of the missionary overcame all obstacles. In the year 565 Columba sought out the Pictish king's seat, which was on the south-side of the river Ness, on or near the old Castle Hill of Inverness. Brude, in his pride, had shut the gate against the holy man, but the saint, by

<sup>26</sup> Reeves' *Adamnan*, App. Pref., pp. 68-75. Columba—"a member of the reigning family in Ireland, and closely allied to that of Dalriada in Scotland; he was eligible to the sovereignty of his own country. His half-uncle, Muircertach, was on the throne when he was born, and he lived during the successive reigns of his cousins, Domhnall and Fergus, and Eochaidh; of his first cousins, Ainmire and Baedan; and of Aedh, son of Ainmire. To this circumstance, as much as to his piety or abilities, was owing the immense influence which he possessed, and the consequent celebrity of his conventual establishments; in fact, he enjoyed a kind of spiritual monarchy collectively with the secular dominion of his relatives, being sufficiently distant in Iona to avoid collision, yet near enough to exercise an authority made up of the patriarchal and monastic." *Ibid.*, p. 8, Note u.

the sign of the cross, and knocking at it, caused it to fly open. Columba and his companions then entered, the King advanced and met them, and received the saint with due respect, and ever after honoured him.<sup>27</sup>

Columba and his disciples then proceeded with their work, and preached the Gospel among the Picts, and baptised them ; sometimes whole families were baptised at once and recognised as Christians. It may be observed that Columba occasionally employed the aid of an interpreter when engaged in instructing the Picts in the doctrines of Christianity. This was quite a natural occurrence, for though Columba himself, no doubt, understood the Pictish dialect, it was, however, a different and a difficult matter to intelligibly explain the doctrines of Christianity to the Picts in their own local dialect. Columba founded many monasteries on the mainland and in the Western Isles in his own lifetime, and subsequently the monasteries and churches dedicated to him were very numerous. Every monastery consisted of a body of clergy, who from these centres went out in circuits amongst the surrounding tribes to teach and to convert them, and returned to the monastery as their common home for shelter and support. In this way, as monasteries were gradually established and spread over the country, the inhabitants were converted.<sup>28</sup>

A few incidents connected with Columba's action and labour among the people may be narrated. When on one of his visits in the land of the Picts, he heard of a famous well which the heathen people, being blinded by the devil, worshipped as a god. The well had many evil qualities, and those who drank of it, or washed in it, were struck by demoniacal art, smitten with leprosy or some severe infirmity. Thus the people were seduced, and paid divine honour to the fountain. Columba having learned the state of the case, went boldly up to the well, and then the Magi rejoiced, as they thought that he too would suffer from the touch of the baneful water ; but the saint raised his hands and invoked the name of Christ, then washed his hands and feet, and with his disciples drank of the water which he had blessed. Henceforth the demons departed from the

<sup>27</sup> *Historians*, Vol. VI., pp. 62, 276 ; *Mon. Hist. Brit.*, p. 176 ; Reeves' *Adamnan*, pp. 130-153.

<sup>28</sup> *Historians*, Vol. VI., pp. 2, 25, 55, 58, 71, 77 ; Reeves' *Adamnan*, pp. 289-298 ; *Book of Deer*, Pref., pp. 1, 2.

well, and it never after injured anyone ; but, on the contrary, it became famous for curing diseases.<sup>29</sup>

St. Columba by the sign of the cross banished the demons which lurked in the bottom of the milking pail ; and he also confounded the devilish art of a sorcerer who pretended to take milk from a bull. There is no evidence in the *Life of St. Columba* of any organised heathen priesthood in Scotland, or in the Isles around it. There is, however, evidence that the kings or great chiefs kept an adviser, one of which we have already met in the person of Cathen, the adviser of the King of Strathclyde, who tried issues with St. Mungo ; and no doubt these advisers, who associated with the kings, were a sort of half-magicians and half-priests. The magi that Columba met with, professed to have power over winds and waters ; but the saint easily outdid them. There was a certain Broichan who attended King Brude, and this man ventured to measure his powers with St. Columba ; but the saint swiftly and utterly defeated him.<sup>30</sup>

St. Columba was more engaged in fighting demons than heathen priests. He went out one day to a sequestered spot in the woods to pray, and when he began a host of black demons suddenly attacked him with iron darts :—"But he, single-handed, against innumerable foes of such a nature, fought with the utmost bravery, having received the armour of the Apostle Paul. Thus the contest was maintained on both sides for the greater part of the day, nor could the demons, countless though they were, vanquish him, nor was he able by himself to drive them from the island, till the angels of God, as the saint afterwards told certain persons, and they, few in number, came to his aid, when the demons in terror gave way." He was represented as being frequently engaged in encounters with demons.<sup>31</sup>

<sup>29</sup> Reeves' *Adamnan*, p. 119.

<sup>30</sup> *Ibid.*, *Adamnan*, pp. 146-150 ; *Historians*, Vol. VI., pp. 59-61.

<sup>31</sup> Reeves' *Adamnan*, p. 205. The greatest of Columba's encounters with demons was related thus :—"Brandubh was killed on the morrow, and the demons carried off his soul into the air. And Maedhog (abbot of Ferns) heard the wail of his soul as it was undergoing pain, while he was with the reapers. And he went into the air, and began to battle with the demons. And they passed over Iona ; and Columba heard them while he was writing ; and he stuck the style into his cloak, and went to the battle to the aid of Maedhog, in defence of Brandubh's soul. And the battle passed over Rome, and the style fell out of Columba's cloak, and dropped in front of Gregory, who took it up in his hand. Columba followed the soul of Brandubh to heaven. When he reached it the congregation of heaven were at Celebration, namely, Te decet hymnus, and Benedic



The form of Christianity introduced was essentially monastic, both in the north and the south. As Columba's institution of Iona was the first in importance, and the chief religious centre in Scotland for a century and a half, it presents the best example. The island of Iona lies north-east and south-west, separated from the island of Mull by a channel about a mile broad; it is about three miles in length, and about a mile and a half in breadth. Its surface is very uneven, and mostly consists of small green patches and rocky projections; the best part of the cultivable land lies along its eastern shore. The original monastery consisted of a church, with its altar and recesses, a refectory, the cells and huts of the monks, and Columba's house or cell, in which he read and wrote, having several attendants awaiting his orders; and one or more houses for the reception of strangers and visitors not belonging to the monastic family. All these erections were surrounded by a rampart and a ditch called a wall, which was probably intended as much for the restraint of the monks as for security. So far as ascertained, it appears that originally the whole of these buildings were formed of wood and wattles, which perhaps rested upon stone foundations. Outside the wall there were the cow-house and the stable, the barn, the kiln and the mill, the smithy and the carpenters' workshop. Many of the monks themselves engaged in the labours of the field, among the corn and grass.

Those who entered into the conventual community were considered as specially devoted to the service of God. The Abbot of Iona was the head of the community, and his authority extended over all the monasteries and churches founded by St. Columba. The bishops in Iona and in Scotland in the lifetime of Columba, and for about a century after, were subject to the Abbots of Iona. St. Columba named his own successor, and afterwards a preference was given to the founder's kin in the election of the Abbots. Thus the notions and feelings of clanship entered into the very constitution of the Columban monasteries; and the kin relation of many of the Abbots of Iona have been traced. In Ireland the feelings of clanship were even more marked in the succession of the Abbots or Coarbs than in Scotland. Dioceses and

anima mea, and Laudate pueri Dominum; and this is the beginning of the Celebration of heaven. Columba did the same as the people of heaven. And they brought Brandubh's soul back to his body again. Columba tarried with Gregory, and brought away Gregory's brooch with him; and it is the hereditary brooch, being an heirloom in Iona, as the testamentary bell was in Armagh, of the coarb of Columba to this day. And he left his style with Gregory." *Ibid.*, note.



parishes were unknown in the early Scottish Church. The Celtic form of society was unsuited to such arrangements, as the state of intermittent warfare in which the people lived, often resulted in the extension of the territory of one tribe and the curtailment of another, which rendered even the area of the jurisdiction of clan monasteries exceedingly fluctuating.<sup>32</sup>

It seems probable that celibacy was enjoined by Columba on the members of his community in Iona, but marriage was common in his time among the secular clergy, and celibacy was not established in Christendom for long after his day. Women held a high position in the early Church of Ireland and Scotland, as they have always done in the organisation of Celtic society. Columba himself was much revered by the female sex, and there were convents for women even in his time, and female saints of great renown. In the Irish Church some of the coarbs were females, and St. Bridget attained a wide fame and influence not only in Ireland but also in England and in Scotland. This female saint was born about the middle of the fifth century and died about the beginning of the sixth, and the histories of her life are numerous and full of narratives about miracles.<sup>33</sup>

Touching divine service, the members of the monastery of Iona were summoned to the church by the ringing of a bell, and at night they carried lanterns. The chief service was the solemn mass, when the offices were chanted, and in which certain saints were commemorated by name. On special occasions the abbot summoned the monks by the toll of the bell to the church in the dead of night, addressed them, asked their prayers, and then kneeled himself at the altar and prayed. Every Wednesday and Friday during the year, excepting the time between Easter and Whitsunday, were kept as fast days, and Lent was strictly observed. The chief festival was the Paschal solemnities, on which occasion the Eucharist was celebrated. Baptism was administered to adult converts, after being duly instructed in the faith, sometimes by the abbot in his travels through the country, and sometimes to an individual a little before his death.

Young men were admitted to the diaconate while students, and part of their duty was to attend the ministers of the altar. Priests'

<sup>32</sup> *Historians of Scot.*, Vol. VI., pp. 104, 105, Introduction; Todd's *St. Patrick*, pp. 154-161, 172, 504, 505; *Ancient Laws of Ireland*, Vols. I., II., III.; Reeves' *Adamnan*, pp. 339-341; *Book of Deer*, pp. 102, 126-128.

<sup>33</sup> Todd's *St. Patrick*, pp. 11-14, 171; *Historians*, Vol. VI., pp. 41, 42, 69, 71, 85.

orders were conferred by the bishop, but the previous imposition of the abbot's right hand was required as the warrant for the bishop's interference. Persons retiring from the world to live as associates or probationers in the monastery were admitted. When any one desired admission to the order, the application was submitted to the abbot, who could receive into communion at once or extend the probation over a period of years. The abbot exercised a discretionary power in the regulation of penance, and generally over the whole organisation of the community.

The interment of the dead was a religious office, which implied consideration of the future as well as the present. The faith in the Resurrection rendered it desirable to be buried among the honoured members of the society. The body of the deceased was laid out in the church, wrapped in linen clothes, where it remained for three days and nights, during which the praises of God were sung. Then the body was borne to the grave in solemn procession, and interred with due reverence.

The sign of the cross was much employed. It was customary to cross the pail before milking the cows, to cross tools and implements before using them, and so on. The sign of the cross was highly esteemed, and it was deemed effectual to banish demons, to restrain and prostrate wild animals, unlock doors, and endow pebbles with healing virtues. In St. Columba's time charms were much used, which were produced by his blessing on a great variety of objects; but it is unnecessary to particularise further, as such notions and practices were not peculiar to St. Columba or his country, for they have been found prevailing among many other peoples widely separated from each other.

The members of the monastery had all things in common. Personal property was entirely disclaimed, according to Columba's injunction.

Hospitality was a leading characteristic of the early monasteries. When a stranger arrived, sometimes he was at once introduced to the abbot, by whom he was kissed; at other times the interview was deferred. When an expected guest arrived, the abbot and brethren went to meet and welcome him, and he was then led to the oratory and thanks returned for his safety. From this he was led to a lodging, and water prepared to wash his feet. If a visitor happened to arrive on an ordinary fast-day, the fast was relaxed in his favour. Almsgiving was held in high esteem, and Columba often befriended

the poor, but beggars who went about with wallets, were not held in such esteem, and grievous transgressors were excluded.

The ordinary food of the community of Iona was very simple. It consisted of bread, sometimes made of barley, milk, eggs, fish, occasionally mutton and beef, and some vegetables. Their clothing consisted of a coarse woollen cloth in its natural colour, and they wore sandals on their feet, which were removed before sitting down to meat.

Besides the religious services the regular employment of the Columban community consisted in reading, writing, and manual labour, according to the example of the saint himself, who allowed no time to pass unoccupied. The primary subject of study was the Scriptures, which all the members of the community had to prosecute, and to commit to memory the Book of Psalms. The Greek and Latin languages, and ecclesiastical writings were also included in their studies. Writing formed an important part of the monastic occupations, and Columba himself was much devoted to it, and many of his books were preserved, especially a volume containing hymns for the various services of each day in the week, which is mentioned by Adamnan. The stated manual labour was agriculture in its various branches, and there is evidence that the monks of Iona were the best agriculturists of the period in North Britain. As the monastery of Iona developed, and the number of its members increased, the work connected with the institution called into being new offices, agents, and servants, whose various duties were defined. In Iona we find the abbot, prior, bishop, scribe, anchorite, butler, baker, smith, attendant, and messengers, and at a later date the president of the Culdees; while the position of Iona necessitated a supply of boats and nautical appliances, and men accustomed with the sea, and several kinds of small vessels were used in connection with the monastery. Small portable boats were used for cruising, crossing rivers, and inland lochs; larger wicker-work boats covered with hides, which were furnished with masts and sails as well as oars, were used for carrying on communication with the mainland and with Ireland.<sup>34</sup>

Columba had a severe sickness in the year 593, and he died on the morning of the 9th of June, 597, while kneeling at the altar; without a struggle his spirit gently departed. His remains were wrapped

<sup>34</sup> Reeves' *Adamnan*, pp. 339-369; *Sculptured Stones of Scotland*, Vol. II., Pref., pp. 14-16, 17, 19-21.

in fine linen clothes and interred in Iona.<sup>35</sup> Columba was a man of great energy and ability, and left behind him an imperishable name associated with the introduction of Christianity in Scotland.

He was succeeded by his first cousin, Baithene, son of Brendan. He was nominated by St. Columba as his successor to the abbacy of Iona, and, having enjoyed it three years, he died in 600. He was succeeded by another first-cousin of St. Columba, Laisren, son of Feradhach; he held the abbacy five years, and died in 605.<sup>36</sup> Iona continued to prosper, and occasionally sent forth men who spread the light and established monasteries and churches beyond the bounds of Scotland. The institution of Iona performed good service in its day, and contributed several important elements to the civilisation of Scotland, which have operated in various ways along the roll of ages down to the present time. In spite of its solitary position, evil days came upon it; for in 801, the monastery was burned to the ground by the Norsemen. Again in 806 they landed on the island, and slew sixty-eight of the inhabitants; and they returned in 815 and killed a number of the monks. Such were the results of the early visits of these heathen Norsemen to our shores. By this time the influence of Iona had from other causes begun to decline, and before the end of the ninth century Dunkeld had become the chief religious centre in Scotland.

It was already stated that Constantine, who ascended the throne of the Picts at Scone in 790, founded a church at Dunkeld; and it appears that the remains of St. Columba were enshrined sometime in the latter half of the eighth century, conveyed to Ireland and preserved there. Kenneth M'Alpin in 850 removed the relics of St. Columba to the Church of Dunkeld, or at least some of them. Thus Kenneth, as it were, constituted Dunkeld—the mother church over the Columbans in Scotland; and hence the Abbots of Dunkeld assumed an important position.<sup>37</sup>

The influence of these early saints, and especially of St. Columba, and their immediate successors, upon the subsequent religious feelings and sentiments of the people was great and abiding, and to us indeed, unrealisable in its natal vigour and glowing energy. For till the Reformation their deaths and miracles were continually commemorated as part of the belief and worship of the people. Their

<sup>35</sup> Reeves' *Adamnan*, pp. 227, 235-240.

<sup>36</sup> *Ibid.*, p. 372.

<sup>37</sup> *Ibid.*, pp. 312-318; Skene's *Celtic Scotland*, Vol. II., pp. 291-319.

tombs, relics, and shrines, became objects of extreme veneration. Many of their relics were believed to possess marvellous powers, such as the Crosiers, and the Breckennoch of St. Columba, which were often carried into battles to secure victory to the people who possessed them. These saints also took a firm and extensive hold upon the local history and nomenclature of the country, which is still discernible after thirteen centuries. The wells and springs among the valleys, the deep and winding glens, and in the cliffs of rugged mountains, often bear the names of these early saints ; and, moreover, many of the wells had been blessed by them, and thus rendered famous for curing diseases.<sup>38</sup> The caves and rocks retain traces of the early teachers of the Gospel of peace, and the old markets all over the country were named after them ; indeed, there were few places of any note that were not associated with the name of some early saint. Looking fairly at these results and assigning to them due importance, we may easily perceive the social influence which the new religion must have had upon the people ; and seeing that the action of these saints had one common origin, the general effect was a tendency to draw the separate tribes slowly towards a union amongst themselves. Thus Christianity became an influence which contributed much indirectly to the development of the Scotch nationality, as well as to the civilisation of the people.

## SECTION IX.

### *Gradual Extension of the Kingdom to the End of the Eleventh Century.*

After the historic kingdom was founded, and while its development was proceeding from the centre outward, it was persistently attacked by external enemies. The Danes and Norwegians, under the name of Norsemen, threatened its total overthrow. The racial movement of the Saxons had been proceeding onward, since their settlement in the Lothians, slowly but effectively. The powerful tribes occupying the parts of the country not yet included in the kingdom were still warring against it. Thus there were external and

<sup>38</sup> There were few if any parishes in Scotland that had not one or more holy wells which were famed for their healing virtues, and many of them were resorted to till quite recent times. See Anderson's *Scotland in Early Christian Times*, p. 193, 1881.



internal conflicts going on at the same time ; yet the natural vigour and energy of the people enabled them to struggle for centuries with these difficulties and adverse circumstances, and finally to attain success.

Kenneth M'Alpin was succeeded by his brother Donald, who reigned four years. Constantine I., a son of Kenneth M'Alpin, then ascended the throne, and soon found himself face to face with the Norsemen. In the middle of the ninth century these ruthless warriors extended their destructive ravages along the east and west coasts of Scotland ; they entered by the firths and inlets, and penetrated far into the interior of the country, ransacked it on every side, inflicted much suffering and privation on the people, and prolonged the reign of confusion. They slew many of the inhabitants, and carried numbers of them off as captives, and at length they obtained a footing in Caithness, Sutherlandshire, and other parts along the coasts, where they established lasting memorials of their prowess in the memory of succeeding generations.

In 877 the Norsemen invaded the country in force, and entered Fife, attacked and defeated the Scots, and pursued them through the county. The Scots made a stand at Inverdovet, in the parish of Forgan, but they were completely defeated, and Constantine and many of his followers slain.<sup>39</sup> He was succeeded by his brother, Aed, who reigned one year. Eocha, a Briton, was then placed on the throne, but being too young to reign alone, another king called Giric was associated with him, and they both disappeared about 889. Donald, a son of Constantine I. ascended the throne in 889, and during his reign the Norsemen had obtained possession of Caithness, Sutherland, and Ross. Afterwards they invaded the southern districts ; and the king, when fighting against them, was slain at Dunnotter, in Kincardineshire, in 900. He was succeeded by Constantine II., who soon found himself engaged in the struggle with the fierce and implacable Norsemen. They plundered Dunkeld and the surrounding country, but in 904 Constantine invoked the aid of St. Columba, and with the saint's crozier carried at the head of his army, he attacked the Norsemen in Strathern, and completely defeated them and slew their leader.<sup>40</sup>

In 906 Constantine II. directed his attention to the affairs of the

<sup>39</sup> *Chronicles of the Picts and Scots*, pp. 9, 21.

<sup>40</sup> *Ibid.*, pp. 9, 21, 362 ; Robertson's *Early Kings*, Vol. I., pp. 44, 45, *et seq.*

Church, and held an assembly on the Mote Hill of Scone. There the king and Cellach, the bishop of St. Andrews, and the people, all solemnly vowed to observe the laws and the discipline of the faith, and preserve the rights of the Church, and the record adds, "from this day the hill merited its name, the 'Mount of Belief.'<sup>41</sup> The stone on which the kings were installed to the throne had long been in Scone, many important meetings had been held there, and henceforth this sacred spot became inseparably associated with the sovereignty and the freedom of the kingdom.

Distinct indications now appear of attempts to extend the dominion of the kingdom to the south-west, as when Constantine II. contrived to obtain the election of his own brother Donald as king of Strathclyde in 908, and thenceforth a branch of the Scottish line gave princes to Strathclyde, and thus facilitated its complete annexation in the near future.<sup>42</sup>

Constantine II., wearied with the struggle and the difficulties connected with his position, retired to the monastery of St. Andrews in 942, and resigned the throne to Malcolm, a son of his predecessor, Donald. Constantine lived ten years after his retirement, and died in 952. Malcolm I. was a bold man, and attempted to extend his power beyond the river Spey, but he failed. He seems to have obtained some footing in the region to the south of the Forth, sometimes called the Cumbrian kingdom, which was then in a state approaching disintegration. Malcolm reigned eleven years, and was slain at Fetteresso, in Kincardineshire. The struggle between the tribes in the northern and the southern districts of the county still continued to rage, and on the death of Malcolm, Indulf, the son of Constantine II., mounted the throne at Scone in the year 954. He extended the kingdom southward by taking advantage of the distracted and confused state of Cumbria; he seized possession of Edinburgh and added it to the kingdom. Indulf also repelled an attack of the Norsemen in Buchan, Aberdeenshire, and after a reign of eight years he died in 962. A contest for the throne then ensued between Duff, the son of Malcolm I., and Colin, the son of Indulf, and a battle was fought at Drumcrub, in Strathern, in which Duff defeated Colin; but two years later Colin expelled Duff, who died shortly after, and Colin was slain by the Britons in 971.<sup>43</sup>

<sup>41</sup> *Chronicles of the Picts and Scots*, p. 9.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*, pp. 10, 151, 171, 288, 302, 63, 364.

The same year Kenneth II., a son of Malcolm I., ascended the throne at Scone ; and immediately proceeded to throw up entrenchments at the fordable points of the Forth, and attempted to extend the limits of the kingdom southward. He attacked the Britons of Strathclyde and wasted a portion of their territory ; and then turned his attention to Northumbria, which he invaded twice, and seems to have subdued and taken possession of some portions of it. Kenneth gave Brechin to the Lord, and thus endeavoured to strengthen his hold on the district around it by securing the influence of the Church. A gradual encroachment upon the local kings and chiefs was effectively proceeding from Scone, the centre of the monarchy ; the kingdom was slowly extending in every direction, and the people under the influence of the Church and other attracting affinities were silently becoming a nation. Kenneth II. did much to consolidate the power of the Scots, and after reigning twenty-four years he was slain at Fettercairn, in Kincardineshire in 995.<sup>44</sup>

Constantine III., a son of Colin, then succeeded to the throne, but his right was contested by Kenneth M'Duff. After a severe struggle Constantine was slain in the second year of his reign. M'Duff reigned eight years, and was killed in Strathern. He was succeeded by Malcolm II., a son of Kenneth II., who ascended the throne in 1005. Malcolm II. began his reign by an invasion of Northumberland, but was defeated, and many of his followers slain. He next attempted to extend his influence over the northern region of the country by the marriage of his daughter with Sigurd, the ruler of the Orkney Islands, and they had a son, Thorfinn, who after his father's death was confirmed by Malcolm in the possession of Caithness and Sutherland. Having established his grandson in the northern extremity of the country, Malcolm again turned his attention towards the south. In the year 1018, twelve years after his former defeat, he took advantage of the distracted state of Northumbria, mustered all his followers, and marched southward to the Tweed, where he found the Northumbrian army. At Carham a great battle was fought, and Malcolm completely defeated his enemies, many of whom perished in the rout. The result of this battle was the cession of Lothian and the whole of the territory north of the Tweed, and thus Malcolm II. obtained a more important success than any of his predecessors had ever achieved. During his reign the

<sup>44</sup> *Ibid.*, pp. 10, 152, 289, 365 ; *Chartulary of Brechin*, Pref., p. 4.

kingdom of Strathclyde became incorporated into Scotland without any serious conflict.<sup>45</sup> The country then began to be called Scotia, and it had reached its permanent frontier on the south side, as it stood when the great struggle with England began, toward the end of the thirteenth century. But in the outlying districts of the north and the west there were still a number of small local powers not under the authority of the monarchy, and it was long ere the King of Scots overmastered them.

The great Dane, Canute, had subdued England, and was at this time reigning as king of that country. It is stated in the Saxon Chronicle that in 1031 Canute marched with an army to the north and met Malcolm II. upon the borders of their dominions, that Malcolm submitted to him and became his man, but "retained his allegiance for a very short time." Canute and his army returned to the south, and the result of the meeting disappeared with them. Malcolm reigned twenty-nine years, and died on the 25th of November, 1034.<sup>46</sup>

Upon the death of Malcolm the lineal descendants in the male line of Kenneth M'Alpin, the founder of the Scottish dynasty, became extinct, and he was succeeded by his grandson Duncan, the son of one of Malcolm's daughters. But other aspirants to the throne disputed Duncan's right, and he soon became involved in a desperate struggle with the local chiefs beyond the Spey, and Earl Thorfinn, his own cousin, who was ruler of the Orkney Isles, of Caithness and of Sutherland. Duncan seems to have been a very able man; but when he ventured beyond the Spey, Thorfinn and Macbeth joined their forces and proved too strong for him, and after a severe struggle Duncan was slain by Macbeth, near Elgin.<sup>47</sup>

Macbeth, the Mormaer of Moray, then marched southward and mounted the throne in 1040, and for five years reigned undisturbed. According to some authorities he was descended from Ferchar, the fifteenth King of Dalriada, and his wife, Gruoch, was a daughter of Bode, son of Kenneth, and thus related to the royal line; and, no doubt, Macbeth advanced his claim on these grounds to secure the allegiance of the people. In 1045 Crinan, father of the late King

<sup>45</sup> *Mon. Hist. Brit.*, p. 594; *Chronicles of the Picts and Scots*, 131; Robertson's *Early Kings*, Vol. I., pp. 92-96.

<sup>46</sup> *Saxon Chronicle*; Skene's *Celtic Scot.*, Vol. I., p. 398.

<sup>47</sup> *Chronicles of the Picts and Scots*, pp. 63, 65, 152, 175, 206; *Historians*, Fordun, pp. 179, 180, 419.



Duncan, and lay Abbot of Dunkeld, mustered all his followers and the opponents of Macbeth, and attempted to drive him from the throne; a severe battle ensued, in which Crinan was slain, and Macbeth gained a complete victory. Macbeth seems to have sent money to Rome, while he was liberal to the Church at home, as it is recorded that 'Macbeth and his wife Gruoch, King and Queen of Scotland, confirmed to the monks of Lochleven the lands of Kirkness, with freedom from the king, or the king's son, or the sheriff.<sup>48</sup> He proved himself an able and vigorous ruler, and the kingdom seems to have enjoyed unusual tranquillity and prosperity under his sway.

But the late King Duncan left two sons—mere children at the time of his death, their mother being related to Siward, the Earl of Northumberland. This Earl was of Danish descent, and became connected with the Earls of Northumberland through marriage. In 1054 he mustered a large and well-equipped army, and a naval force to co-operate with it, and invaded Scotland to drive Macbeth from the throne. This army marched northward in quest of Macbeth, crossed the Forth at Stirling, and proceeded towards the Tay; the advance was opposed by the people at several points. Macbeth took up his position around the Hill-Fort of Dunsinnane, a great battle ensued, in which many were slain on both sides. But the result was not decisive, as Siward retired southward, and returned home to Northumberland; and he died in 1055. It seems, however, that Siward's expedition had enabled Malcolm, son of Duncan, to obtain possession of the country between the Forth and the Tweed; but Macbeth was still king of the country beyond the Forth, and young Malcolm had to depend on his own resources to recover the kingdom from the grasp of his opponent. Malcolm was a prince of much energy, and after feeling his way, and gaining the support of a portion of the people; in 1057 he resolved to try issues with Macbeth. The war was carried beyond the river Dee, and on the 15th of August, 1057, Malcolm overtook Macbeth, and defeated and slew him at Lumphanan, in Aberdeenshire. But the struggle for the throne was continued by Lulach, who, on the death of Macbeth, became Mormaer of Moray; he was defeated and slain at Essy, in Strathbogie, on the 17th of March, 1058.<sup>49</sup>

<sup>48</sup> Reeves' *Adamnan*, p. 437; *Register of the Priory of St. Andrews*, p. 114. Dr. Skene thinks that Macbeth visited Rome, but this is not likely, as he could hardly have ventured to leave Scotland so long.

<sup>49</sup> *Mon. Hist. Brit.*, p. 453; *Chronicles of the Picts and Scots*, pp. 65, 78, 175, 206, 210, 369; *Saxon Chronicle*.



Having thus subdued his opponents, Malcolm III., son of Duncan, usually called Canmore, mounted the throne at Scone in March 1058. As a King of Scotland he had many advantages. He represented the powerful lay abbots of Dunkeld in the male line, and thus inherited their influence associated with the religious foundations dependent upon this monastery; in the female line he represented the royal family who had ruled over the kingdom for a hundred and fifty years; and he married the widow of Thorfinn, the late ruler of Orkney and the Northern district of Scotland, by whom he had a son Duncan. Malcolm's dominions included the whole of modern Scotland on the south side; but to the northward his actual power terminated at the river Spey, his authority beyond this point was merely nominal. He was too much engaged in attending to the other portions of the kingdom, to find time to subject the northern region.

One effect of the Norman Conquest of England was to drive a number of the Saxon people northward into Scotland. In the summer of 1068, Edgar, a representative of the Saxon line of kings, his mother, and his two sisters, came to Scotland, and were warmly received by Malcolm. One of these distinguished visitors, Margaret, especially attracted Malcolm's attention, and she became his wife; hence he had a strong motive to interest himself in the Saxon claims. Queen Margaret seems to have been an excellent wife, and she had a large family by the King. Her influence over her husband and the people of Scotland was reported to have been very great; it has been said that she softened and polished the King's manners and taught him many important things, and that the Scots owe to her a deep debt of gratitude. No doubt she was a good wife, and an accomplished princess, and a very religious woman; still it is just possible that the compass of Queen Margaret's influence over the people of Scotland may have been a little overdrawn. Dunfermline was her favourite place of residence, and doubtless the inhabitants of that town, and the people of Fife, were greatly benefitted by the Queen and her court in their midst.<sup>50</sup>

<sup>50</sup> Turgot's *Life of Queen Margaret*. "Her court was a model of purity. In it no wicked or scandalous word was spoken, and more civilised customs were introduced in dress and for the table, the use of linen more probably than tartan, though both have claimed her as their earliest patron. Charity was taught by example. The Queen fed the poor with food she prepared herself; at her cost were erected the first Scottish inns, resting-places on the roads and guest-houses

Malcolm III. naturally lent his support to the cause of Edgar, and the disaffected chiefs of Northumbria, who were opposed to William the Conqueror. In 1070 Malcolm entered Cumberland with a large army, marched through it, and turning to the east ravaged Teesdale and the North Riding of Yorkshire; and drove a number of the inhabitants into Scotland as captives. These proceedings seem to have aroused the wrath of the Norman Conqueror, and he prepared to meet the Scottish King. In 1072 he mustered an army and a naval force to co-operate with it, and marched northward. The army crossed the ford and advanced into Scotland, while his ships lay in shore: but the record adds that "there they found nothing for their pains." Malcolm and King William met and agreed to make peace on the conditions that the Scotch King was to receive a grant of certain fiefs in England, with the promise of an annual payment of twenty marks of gold, performing the usual homage in respect of these lands, and giving Duncan, his son by his first wife as a hostage, and promised to become William's man or friend. Then King William returned home with all his forces.<sup>51</sup> Such are the facts recorded concerning what passed between the two Kings at this meeting, although groundless assumptions and futile inferences have often been founded upon it.

In 1078 Malcolm appears to have penetrated into the province of Moray beyond the Spey. There is only an imperfect notice in the *Saxon Chronicle* of his proceedings, but so far he seems to have been successful in asserting his authority for a time. The following year Malcolm marched with his army into Northumberland, advanced to the river Tyne and wasted the country, slew some of those who offered resistance, and returned with a number of prisoners and much spoil. In the autumn of the following year, King William sent his brother Robert with an army to punish Malcolm. This army seems

on either side of the Forth for the pilgrims who came to Dunfermline by the ferry, called after her the Queen'sferry, as that near Wemyss was called the Earlsferry, after the Earl of Fife. Her prayers were constant; and the little cave on the Linn, just below the present Drill Hall of the Volunteers, enabled her to practise them in secret. Such are some of the traits in the life by her confessor Turgot. It is the portrait of a friendly and courtly hand, but it bears marks of truth. Only one miracle is recorded." *A Sketch of the History of Fife and Kinross*, by Sheriff A. E. J. G. Mackay, p. 16, 1890.

<sup>51</sup> *Saxon Chronicle*, Vol. II., p. 177; *Simon of Durham, de Gestis Reg. ; Historians*, Fordun, pp. 203-204.

to have advanced some distance into Scotland ; but Robert effected nothing of importance, and soon returned south to the Tyne, where he built a new castle. William the Conqueror died in 1087, and after this event a number of State prisoners and others kept under restraint in England, were then set at liberty. Malcolm's son Duncan thus obtained his liberty, received the honour of knighthood, and was dismissed with marks of honour and presents. Still Duncan appears to have remained in England. Four years after the death of the Conqueror, Malcolm III. again advanced into Northumberland with an army, but on learning that a hostile force was mustering to oppose him, he returned home. The English king sent a fleet northward, and prepared to follow it with a land force, but the greater part of the fleet was destroyed by a storm before the land army reached Scotland. When the opposing armies approached each other, Malcolm who knew the condition and strength of the enemy, resolved to risk a battle. So Count Robert the leader of the English army offered to parley, and a peace was patched up, which King William shortly after declined to fulfil. So in the autumn of 1093 Malcolm once more mustered his army, and advanced into Northumberland. When attacking the castle of Alnwick he was slain along with his eldest son and the greater part of his army on the 13th of November ;<sup>52</sup> and thus ended his reign of thirty-five years and seven months.

Malcolm Canmore was a man of great natural energy and ability. He acted his part well in the rude and tumultuous times in which his lot was cast. The different races and tribes of the country acquiesced pretty generally in his government, and in his long reign the existing elements of nationality received a considerable turn in the lines of development, to which his personal characteristics, bravery and judgment, contributed their share. Four days after his death, Queen Margaret, his beloved wife, succumbed to the intense grief caused by the unexpected blow, and died. Malcolm III. left six sons, Duncan, the eldest, by his first wife ; by Margaret, his second wife, Edmund ; Ethelred, who was Lay Abbot of Dunkeld and Earl of Fife ; Edgar, Alexander, and David. Then there occurred a political phenomena similar to that which had frequently happened in preceding times, and also in subsequent times, namely, a contest amongst different claimants of the throne.

<sup>52</sup> *Saxon Chronicle*, Vol. II. p. 198 ; *Hexham Priory : Its Chronicles, etc.*, Vol. I. pp. 177-181, 207, 208, 216 ; App. pp. 14-16 ; *Simon of Durham, de Gestis Reg.*

On the death of Malcolm Canmore, his brother, Donald Bane, at once mounted the throne, and a conflict ensued between him and Malcolm's sons. Donald Bane appears to have been well supported by the people between the Spey and the Forth, and he held his ground for six months. But when Duncan returned from England, where he had been retained as a hostage for his father, he brought with him a band of Norman adventurers and others, who expelled Donald Bane from the throne. The struggle, however, was continued. After a reign of six months, Duncan was slain at Mondynes in Kincardineshire. Then Donald Bane again ascended the throne at Scone, and reigned three and a half years. In 1097, Queen Margaret's brother Edgar resolved to make an effort to place his nephew on the throne. He gathered a force in England, and with the sanction of the English King, advanced into Scotland. After a severe struggle, Donald Bane was defeated, and Edgar placed on the throne, and his uncle then returned to England. In 1099 Donald Bane was captured, and condemned to imprisonment for life at Rescobie, where he died, and was interred in Dunfermline. Edgar reigned eight years, died at Edinburgh in January 1107, and was buried at Dunfermline. The most important event of his reign was his surrender of the whole of the Western Isles to Magnus, the King of Norway.<sup>53</sup>

The close of the eleventh century marks the beginning of a most important period in the history of Scotland, as new historic conditions then arose which operated upon the people and the organisation of society externally and internally. Seeing that I have found it necessary to render an interpretation of these new historic conditions, which differs somewhat from the current views of Scottish historians, this seems to be the most appropriate place for presenting an account of the social state of the people, their organisation, art, and culture, prior to the end of the eleventh century. At the end of that period the Celtic race still occupied the greater part of Scotland, and their language was spoken over a much wider area than that of any of the other races, although there were many Angles or Saxons in the southern portion of Scotland, where Celt and Saxon had been in contact for five centuries and had partly commingled, still the Saxons retained their own speech and, in some measure, their distinctive

<sup>53</sup> *Saxon Chronicle*, Vol. II., pp. 196, 197, 202; *Chronicles of the Picts and Scots*, p. 175; *Chalmers' Caledonia*, Vol. I. p. 618; *Skene's Celtic Scotland*, Vol. I., p. 442.



customs. In this region Celtic speech ceased and was superseded by Saxon, and latterly English.

## SECTION X.

### *State of Society from the Seventh Century to the end of the Eleventh.*

In the preceding parts of the introduction little direct information as to the condition of the inhabitants could be found, and what was stated on this point had to be derived from a process of inference. From about the end of the seventh century onward social facts and incidents become more or less available, and increase in number and variety as we proceed towards the period of regular record. In this section I will present some of the features associated with kinship, early traces of tribal organisation, and its relation to the land, marriage customs, and other matters of a social and material character.

It has often been said that a common feeling of brotherhood, even among a small community, is a comparative late development; be this as it may, ample evidence has already been adduced in the fourth section to prove that the early tribes in Scotland had attained a considerable degree of organisation long before the arrival of the Aryan Celts in the island. So if we were to look for the earliest form of society in this country, we would require to go back to the prehistoric ages, which have been already treated, and without obtaining a more definite result, except by making a free use of conjecture and supposed analogies from primitive society in India and the ends of the earth.<sup>54</sup>

The early form of Celtic society was the tribal community, which was based on actual consanguinity. Even in its most primitive form this is its natural base; although the tribe was the social unit and descent traced through females, still the natural associative elements led to the same result. Thus actual blood-relationship, kin, and kindred, was the original bond of union between the members of the Celtic tribe in its early form; whether kinship was traced through males or females did not affect the original associative bond of the tribe.

It has never been proved that society did not originate from single families, and indeed the point is not susceptible of proof on either view. But it is quite conceivable thus:—Following the instincts of human

<sup>54</sup> Maine's *Village Community*, pp. 21-41. 1890.



nature and the thinking faculty of the mind, the simple fact of blood-relationship or kinship is everywhere the first natural tie of social union which emerges; so this simple fact of kinship originating in single families may have become the recognised bond, as it is the natural associative factor, which in process of time linked the single families as they successively arose into the greater social unit of the tribe, and thus issuing in an organised community. In short, it is not only conceivable but even probable, that single families may have originally developed into tribal communities, and also into mighty nations.

I have already referred to the origin of historic conditions in Britain which affected the organisation of the early inhabitants of Scotland. One result of the operation of these conditions appears in the foundation of the historic monarchy at Scone in 844; external and internal causes were constantly modifying the tribal organisations throughout the four centuries under review. It seems evident that the independent tribes during these centuries were much larger and stronger than the clans in the north and west as we know them in more modern times. During the period under consideration the tribal organisations had arrived at the stage in which a number of tribes, not necessarily of one kin, were living under the rule of a local chief. In the pages of the chronicles these local rulers were sometimes called kings, but to the people over whom they ruled they were known as Mormaers and Toshachs. The prerogatives of the heads and all the officials of the tribe were strictly limited by custom. After the eleventh century the title of Mormaer began to fluctuate, and finally became represented by the Earl. Before the end of this period the central government had obtained a certain control over the heads of the local tribes in the districts between the Forth and the Spey.

Originally, under the tribal organisation, there was no private property in land. The land was the common heritage of every tribal community, and as such it was occupied and used in England, in Scotland, in Ireland, and in other quarters of the globe. But internal and external causes both, in process of time begin to operate and to modify this relation of the tribal community to the land. The long struggle of the chief tribes among themselves was touched on in the preceding pages, and this was one of the causes which affected changes in the original relation of the tribal community to the land. When one tribe conquered another, the spoil of the war usually was the

common land of the defeated tribe ; and then either the conquerors seized and colonised a part of this land or, as often happened, they restored the whole land to the conquered tribe to be held in dependence and under certain burdens to the tribe which had subjected them. On the other hand, when the victor tribe colonised and appropriated the common land of the conquered tribe, the land was not equally divided, seeing that a preference would be claimed and granted to those members of the tribe who had contributed most to the victory by which the land had been gained. Further, in cases where the land was restored to a subjected tribe, the superiority over it remained with the chief who had conquered it, and thus the chief of a conquering tribe acquired claims and rights over such lands as well as over the subject tribes which occupied them. But chiefs and leaders of tribes had other ways of acquiring rights in land ; thus, when a tribe was in possession of an extensive tract of common land, colonies of families were sent out and each received a new patch of it, but whatever portion of this land remained unappropriated it was still the common land of the head of the tribe—that is to say, the chief or the king claimed a right of superiority over it. There is unimpeachable evidence that whatever rights the Kings of Scotland possessed in land were originally acquired by the means and proceedings indicated in the above sentences.<sup>55</sup> Again, the chief of a tribe often found means to aggrandise his own family, and whenever he became able or an opportunity occurred, he severed his own plot of land from the land of the tribe by enclosing it. In these ways the chiefs and officials of tribes and the kings acquired personal claims upon the lands of the tribal communities, and gradually personal rights connected with land were acquired ; then step by step private property in land became established.

Socially and politically this period was essentially transitional and

<sup>55</sup> “ In the dreams of lawyers, as there has been an hereditary king from all eternity, so there has been an hereditary lord of the manor from a time only so far short of eternity as to give the king time to make him a grant. In the realities of history the king and the lord—that is, the lord on a great scale and the lord on a small one—are each something which has crept in unawares, something which has grown up at the expense of rights more ancient than its own. Each alike, king and lord, grew to its full dimensions by a series of gradual and stealthy encroachments on the rights of the people. As the king swallowed up the powers and the possessions of the nation, so the lord swallowed up the rights and the possessions of the mark.” *Freeman's History of the Norman Conquest of England*, Vol. V., p. 460.

progressive. In the first part of it the leading tribes were struggling hard to create a central authority, and the foundation of the Monarchy was the result of this struggle. Though the land still belonged to the tribal community, the chiefs and the kings had acquired rights and claims in connection with it. In the seventh century the local chief of Buchan, Aberdeenshire, granted lands to the monks of the monastery of Deer. In the eighth century Angus, King of the Picts, granted a territory to the Church of St. Andrews free from all secular burdens. This grant was transferred by the ceremonial of the 'altar sod' as the mark of its genuineness. Thus St. Regulus, with the relics of St. Andrew the Apostle on his head, followed by the king and the chiefs of his country on foot, marched in solemn procession seven times round the land so bestowed on the Church. Brude, a King of the Picts, founded the monastery on the island of Lochleven, and several early grants of land to this monastery have been recorded. There were other early grants of lands to monasteries by Macbeth and his Queen, Malcolm Canmore, Duncan, and Edgar, Kings of Scotland. It thus appears that grants of land and land rights were common, and sanctioned by the usual customs of the country many centuries before formal charters were introduced.<sup>56</sup>

A number of entries of gifts and grants of lands to the monastery of Deer recorded in Gaelic belong to this period, and may be taken to stretch from the beginning of the eighth century to the early part of the twelfth. The names of eighteen granters of lands are recorded in the Book of Deer, which concludes with a charter in Latin, granted at Aberdeen by David I., in which the King declares that the clerics of Deer are free from all service of laymen and undue exaction, as it is written in their book, on which they had pleaded at Banff and sworn at Aberdeen. This shows that the Gaelic memoranda of these early grants of lands had been admitted in the regular courts as evidence of the tenure of the lands. The first grant was made by Bede, the Pictish Mormaer of Buchan, who gave to St. Columba and to Drostan "the town of Aberdour in freedom for ever from mormaer and toshach." The next grant of land was by Comgall, son of Aeda, after him Mordach, son of Morcunn, made a grant to Columba and Drostan. Then Matan gave the mormaer's share of

<sup>56</sup> *Chronicles*, pp. 186, 187; *Register of the Priory of St. Andrews*, pp. 113, 114; *Register of Dunfermline*, p. 3.

the land in Alteri, and Cuil, son of Baten, gave the toshach's share of the same piece of land. Malcolm II. gave the King's share in the lands of Bidbin, Pett meic Gobroig, and two davachs of Upper Rosabard. Domnal and Cathal gave the land of Etanin to God and to Drostan; and then Carmech, Domnall, and Cathal immolated all these offerings from beginning to end to God and to Drostan, "in freedom from mormaer and toshach to the day of judgment." Comgell, son of Cainnech, toshach of Clan, Canan, gave certain lands, both mountain and field, to Christ, Drostan, and Columba, "free from chief for ever." The names of seven of the old mormaers of the province of Buchan occur in connection with grants in the book.<sup>57</sup>

We learn from the record of grants in the Book of Deer that the mormaer, the local ruler of the province, the toshach, and the King of Scotland, each had separate or divisible rights in the same piece of land, which either of them could convey to another party. This indicates an organisation and gradation of landed rights which is rather surprising, and seems to show a pretty advanced stage of society. The brief descriptions, too, which accompany some of these grants, such as "the field of the clerics," the number of davochs is stated—a well-known measure of land in the north-east of Scotland, or "both mountain and field," which seems to imply a townland of varying extent, and which probably included rights of commonage. The clauses of freedom from mormaer and toshach meant the exemption of the lands of the monastery from taxes of various kinds, which were exacted by the local officials from the people over whom they ruled in the form of land rent: as it was from this source that the polity and organisation of the tribe were kept up. Further, the development of the Central Government, and the extension of the kingdom, had then reached the stage when a tax upon all land was exacted. In spite of all the explicit declarations that the lands of the monastery were free from mormaer and toshach, these lands were still liable for their proportion of the national tax. As this was a tax from which no land in early times was ever relieved, although it might be paid in various ways, such as a portion of the produce of the soil, or in military service; still, in some form, it was everywhere exacted. The rents paid by the people, the occupiers and toilers of the land, was a customary rent due to the local chiefs and headmen

<sup>57</sup> *Book of Deer*, pp. 91-95, and also the late Dr. Stuart's very able and valuable preface to the volume.



of the tribe, and consisted of a part of the produce,—cattle, sheep, pigs, horses, corn, and the like. There is evidence that the people lived under this form of local organisation in comparative comfort.<sup>58</sup>

The names of two local clans were mentioned in the Book of Deer, the Clan Canan, and the Clan Morgan: and in each the toshach appears as the head and leader of the clan; and he also possessed rights in connection with the land, which rights, as we have seen, could be transferred to another party. It further appears that the Toshach at this period performed fiscal duties in connection with the taxes on land, and the local organisation of the tribe. We may then reasonably assume that similar tribal organisations prevailed in other parts of the country, at least from the Firth of Forth to Inverness; and also in Galloway and Argyle throughout this period. In the ancient laws of Ireland there was much care and humanity shown for all the members of the tribe who were unable to support themselves from old age or any other cause. On this matter the early law will compare favourably with that of the present day.<sup>59</sup>

The culture of cereals was introduced in prehistoric times. Probably the earliest attempts at agriculture were made on the heights in association with the early settlements in similar positions. This seems probable from the fact that many of the chief towns of Scotland were originally erected on heights of moderate elevation. Agriculture was earnestly practised by the monks, who showed a noble example to the people. In this period the tillage of the soil was gradually advancing and spreading among the people, though the method of cultivation and the implements in use were still somewhat primitive. The staple food of the people consisted of oatmeal and some barley, milk, flesh, fish, venison, kail, and other vegetables, and small quantities of fruit. Cattle, sheep, and horses, formed the chief wealth of the people; and taxes and fines were paid in cows. There was as yet little manufacture, as most families had their own weavers, tailors, shoemakers, and carpenters, within themselves. The minute division of labour only arises after a comparatively advanced stage

<sup>58</sup> *Book of Deer*, Pref., pp. 82-89, 91-95; *Sculptured Stones of Scotland*, Vol. II., Pref., p. 11. Those who desire to make a special study of the early Celtic tribal organisations in Britain and in Ireland, will find the original sources of information in:—1, *Ancient Laws of Ireland*, 4 Vols; 2, *Ancient Laws and Institutes of Wales*; 3, some fragments in the first volume of the *Acts of Parliament of Scotland*. These have all been published by the Royal Commission.

<sup>59</sup> *Ancient Laws of Ireland*, Vol. II., pp. 194, 341.



of civilisation has been reached, when a more complex and artificial state of society causes a greater multiplicity of wants and luxuries. The clothing of the people mostly consisted of woollen stuffs and furs of home manufacture. Their dwellings were mostly formed of wood, clay, and turf, sometimes raised on stone foundations. One class of houses were formed by a wall of upright stakes with twigs interlaced between them, and a second wall of the same kind placed at a short distance apart, and then the intervening space was filled with turf or clay, making a pretty solid wall, which was then roofed.<sup>60</sup>

Shipbuilding had not made much progress. But they had vessels on which sails and oars were used, and these were then sufficient to carry on the intercourse and trade between the different quarters of the country. The centres of population were nowhere very dense. Scone, Dunkeld, Perth, Dundee, St. Andrews, Dumbarton, Stirling, Edinburgh, Glasgow, and Paisley, and northward Brechin, Aberdeen, Burghead and Inverness, were centres of some trade and commerce, and having regular market-days at which business of all kinds was transacted. Markets arise at a comparatively early stage of social organisation and must have been quite common in every quarter of Scotland during this period.<sup>61</sup> Our towns and cities do not owe their origin to any king or chief in particular, as it was the intelligence and sagacity of the inhabitants which selected their sites in far gone ages, and their descendants in succeeding ages who have extended and developed them by prolonged energy and industry.

Touching the department of crime and punishment, among the old laws of Scotland, some fragments appear to embody customs which prevailed in this period, though perhaps they were only in operation in certain quarters of the country. One of these fragments is called

<sup>60</sup> *Historians of Scot.*, Vol. V., pp. 16, 17, 57, 66, 67, 68 ; Vol. VI., pp. 39, 50, 63, 97 ; *Pro. Soc. Antiq. Scot.*, Vol. X., pp. 616-618 ; *Book of Deer*, pp. 147-154.

<sup>61</sup> "In order to understand what a market originally was, you must try to picture to yourself a territory occupied by village communities, self-acting, and as yet automatus, each cultivating its arable land in the middle of its waste, and each, I fear I must add, at perpetual war with his neighbour. But at several points, points probably where the domains of two or three villages converged, there appears to have been spaces of what we should now call neutral ground. These were the markets. They were probably the only places at which the members of the different primitive groups met for any purpose except warfare, and the persons who came to them at first were persons specially employed to exchange the produce and manufactures of one little village for those of another." Maine's *Village Communities*, p. 192.

“Laws of the Britons and Scots,” it is preserved in Latin, in Norman-French, and in the vernacular Scotch, and has by some been attributed to David I. ; and, as I said, it can only be assumed to embody the customs of certain localities, one of which was Strathclyde, the province of the Britons ; but its application to the Scots is not so clear. The code contains the fines paid in compensation for crimes, and its peculiar feature is that it was the injured party or his kin who received the fines. The scale of fines was regulated by the rank of the injured party and the nature of the crime committed, thus :—The fine for the slaughter of the King of Scotland is stated to be one thousand cows or three thousand shillings ; for the King’s son, one hundred and fifty cows or four hundred and fifty shillings ; the fine for slaying an Earl of Scotland is the same as for the King’s son ; and for an Earl’s son, one hundred cows. For slaying a Thane one hundred cows ; for a Thane’s son, sixty-six and two-thirds of a cow ; for the nephew of a Thane, forty-four cows and twenty-one pence and two parts of a penny. All those of lower rank were called carls, rustics, and villains, or serfs ; the fine for slaying a carl, is said to be sixteen cows ; but there is no other fine specified for any other injury which might happen to be inflicted upon this class. The lives of the unmarried women were estimated at the same value as their brothers, but the lives of the married females at one third less than that of their husbands.<sup>62</sup>

The mulcts for smaller crimes and assaults were stated with equal minuteness. If any one drew blood from the head of the King’s son, or the head of an Earl, the fine was nine cows ; in the case of an Earl’s son, or a Thane, six cows ; of a Thane’s son three cows ; and of a carl one cow. The women as before were placed on equality with their brothers. The fine for a blow without drawing blood was tenpence. As a matter of course, compensation was taken for theft and all other crimes, as well as murder and personal assaults. Another old fragment of Scotch law presents the following exposition of the system : “All laws are either man’s laws or God’s laws. By the law of God, a head for a head, a hand for a hand, an eye for an eye, a foot for a foot. By the law of man, for the life of a man, one hundred and fifty cows ; for a foot, a mark ; for a hand, as much ; for an eye, half a

<sup>62</sup> *Acts Parl. Scot.*, Vol. I., p. 299 ; and also *Laws of David I.*, pp. 6-8. On the same subject there is a vast mass of information in the *Ancient Laws of Ireland*, and the *Early Laws of the Saxons*, published by the Royal Commission.

mark ; for an eir, as much ; for a tooth, twelvenpence ; for each inch of the breadth of the wound, twelvenpence ; for a stroke under the eir, sixteenpence ; for a stroke with a staff, eightpence, and if he fall, sixteenpence ; for a wound in the face he shall give an image of gold," and so on.<sup>63</sup>

Regarding social morality, much might be said on the relations of the different sexes. Marriage, like every social institution, has passed through many modifications.<sup>64</sup> It was not till after many thousands of years during which the lower passions sought gratification in various forms and degrees of intensity ; not till long after the introduction of Christianity that marriage obtained its present position among the most civilised nations of Europe. The custom of capture seems to have been followed by that of purchase, and the custom of purchasing wives long prevailed in Europe, among the Jews, and many other communities. A sum of money, or something equivalent, was paid by the husband or his family to the family of the woman whom he desired to make his wife. Thus in early times a woman was supposed to be always under tutelage, in the position of a subordinate member of the family ; and hence when married, she was still regarded as being under the protection of her own kindred. In the earliest of the Saxon Laws in England, which probably belong to the seventh century, the mode of purchasing a wife was stated thus :—" If a man buy a maiden with cattle, let the bargain stand, if it be without guile ; but if there be guile, let him bring her home again, and let his property be restored to him. If she bear a live child, let her have half the property, if the husband die first. If she wish to go away with her children, let her have half the property. If the husband wish to have them, let her portion be as one child."<sup>65</sup> From the same ancient code it appears that the Saxon was in the habit of carrying off young women by force.<sup>66</sup> Even in the statutes of the

<sup>63</sup> *Acts Parl. Scot.*, Vol. I., pp. 300, 301, 53, 72, 375, 376.

<sup>64</sup> "The lowest races have no institution of marriage ; true love is almost unknown among them, and marriage, in its lowest forms, is by no means a matter of affection and companionship." Sir J. Lubbock's *Origin of Civilisation*, p. 50. Sir John thinks "that communal marriages, where every man and woman in a small community were equally regarded as married to one another," was the first form of it, p. 67. Again, he says, "I believe that communal marriage was gradually superseded by individual marriage founded on capture," p. 70. He illustrates the capture theory at great length, and with considerable force. But he has not proved that communal marriage was the original form ; indeed individual marriage is as conceivable and far more natural than communal marriage.

first Christian King of Kent, ample provisions were made for the transfer of money or cattle as the price of the bride.<sup>67</sup>

In the tenth century there was some improvement; though the essence of purchase was still recognised, it was more elaborately worked out, thus: "If a man desires to betroth a maiden or a woman, and if it so be agreeable to her and her friends, then it is right that the bridegroom, according to the law of God, and according to the customs of the world, first promise and give a pledge to those who are her forspeakers that he desires her in such ways that he will keep her, according to God's law, as a husband should his wife, and let his friends guarantee that. After that, it is to be known to whom the *fortesban* belongs; let the bridegroom again give a pledge for this and let his friends guarantee it. Then, after that let the bridegroom declare what he will give her, in case she choose his will, and what he will grant her if she lives longer than he. If it be so agreed, then it is right that she be entitled to half the property, and to all if they have children in common, except she again choose a husband. Let him confirm all that which he has promised with a pledge, and let his friends guarantee that. If they then are agreed in everything, then let the kinsmen take it in hand, and betroth their kinsman to wife, and to a righteous life, to him who desires her, and let him take possession of the *borh* who has control of the pledge. At the nuptials there shall be a mass priest by law, who shall, with God's blessing, bind their union to all prosperity."<sup>68</sup> These minute

<sup>65</sup> *Ancient Laws and Institutes of England*, p. 9.

<sup>66</sup> "If a man carry off a maiden by force, let him pay fifty shillings to the owner, and afterwards buy the object of his will of the owner." *Ibid.* p. 10.

<sup>67</sup> *Ibid.*, pp. 45, 53. "The principle was carried out with the utmost consistency when the wife proved unfaithful to her owner, nothing was then considered but the market value of the woman; and the adulterer was compelled to spend the equivalent of her original price in the purchase of a new bride, whom he formally delivered to the injured husband. The Church was compelled to accept this with many other discreditable institutions, when it first made converts in England. In the laws of a king of Wessex, who lived at the end of the seventh and the beginning of the eighth century, the purchase of wives is deliberately sanctioned; and it is stated in the preface that the compilation was drawn up with the assistance of the Bishop of Winchester, and a large assembly of God's servants." Pike's *History of Crime in England*, Vol. I., p. 91.

<sup>68</sup> *Ancient Laws and Institutes of England*, pp. 108, 109. "With slavery in its worst form, the barbarians, who became masters of Britain after the Roman power was broken, introduced the custom of wife-buying. An unmarried



arrangements embodied the feature of purchase, though it makes provisions to secure fair rights in the interest of the wife and children. The Saxons introduced slavery into Britain in some of its worst forms, but the custom of purchasing and endowing a wife involved the conditions that the husband must have had property and freedom, or the permission of his lord, and consequently marriage could not be contracted amongst the servile classes, who were simply regarded as cattle or stock, and joined or separated as it suited the interest and convenience of their masters. Indeed, for these unfortunate classes there was no law but their master's will and caprice.<sup>69</sup> This social phenomena was a fatal and degrading weakness in the constitution and organisation of all the ancient empires and nations, and yet these empires and nations have often been held up as endowed with all the characteristics of humanity and all the emblems of true glory!

In Scotland the institution of marriage was far from being on a proper footing among the people, or even amongst the clergy. The custom of selling and purchasing wives was not as yet extinct in Scotland, and marriages were contracted within the forbidden degrees of relationship. Indeed, long after this period the ties of wedlock were rather lax. The Church often attempted to regulate and enforce marriage as a public and solemn institution, but she came into contact with habits connected with the intercourse of the different sexes which were extremely difficult to overcome, and her efforts were only partly successful. The people did not observe the Lord's Day, but followed their usual occupations as on other days. Queen Margaret is represented by her biographer as holding a council for the reform of the Church from its strange customs, and the people from their

woman was, among them, in the position of a chattel, for the sale of which the owner was entitled to make as good a bargain as possible. It was only natural that, in a community in which it was necessary to pay for taking a man's life, it should be considered equally necessary to pay for the permanent possession of a woman's person. The payment represented in each case a rude attempt to supersede a primitive condition of universal violence." Pike's *History of Crime in England*, Vol. 1., pp. 90, 91.

<sup>69</sup> *Ancient Laws and Institutes of England*, pp. 282, 337, 353. These statutes belong to the legislation of the Church, and probably attempted to make the condition of the serfs as endurable as possible.

"In short, as amongst the strictly servile classes marriage was scarcely a permanent bond until after the lapse of many generations of Christianity, so amongst the dependent freemen it could only be contracted with the permission of their lord." Robertson's *Early Kings*, Vol. II., pp. 127, 328.



evil habits, and with the Sword of the Spirit she contended with the ecclesiastics for three days. Touching the observance of the Lord's Day Margaret said : "Let us keep the Lord's Day in reverence on account of the resurrection of our Lord from the dead on that day, and let us do no servile work on that day on which, as we know, we were redeemed from the slavery of the devil. The blessed Pope Gregory lays this down, saying that we must cease from earthly labour on the Lord's Day, and continue instant in prayer, so that, if aught has been done amiss during the six days, it may be expiated by our prayers on the day of our Lord's resurrection." We are further told that "Many other practices which were contrary to the rule of faith and the observances of the Church she persuaded the council to condemn and to drive out of the bounds of her kingdom." There is, however, nothing said about the marriage of the clergy themselves, nor about many of the high offices in the Church which were then filled by laymen, nor about the appropriation of benefices by certain parties, which were becoming hereditary in their own families.<sup>70</sup>

Many of the monasteries in the Western Isles and in other parts of the country had suffered severely from the ravages of the Norsemen, but their fierce warfare was moderated after they obtained a right to these isles : and the monastery of Iona, which they had destroyed, was restored by Queen Margaret, re-endowed, and filled with monks ; and it seems probable that some fragments of the ruins which still exist on the island belong to her time. The Abbey Church of Dunfermline was founded by Malcolm Canmore shortly after his marriage with the Princess Margaret, in honour of that important event. The discipline of the monasteries had somewhat declined, and their usefulness had become impaired ; the lands which had been granted for religious uses had become partly secularised and diverted from their original end. Still there were many earnest and religious men connected with the Christian institutions of Scotland ; there were communities of anchorites, sometimes called Culdees. Queen Margaret gives her testimony as to the purity and devotion of this class of clerics, for her biographer says that "There were many in Scotland, in different places, who, enclosed in separate cells, lived even on earth the life of angels." Through them the Queen did her

<sup>70</sup> *Statuta Eccles. Scot.*, Vol. I., pp. 24, 309, 310 ; Vol. II., pp. 36, 37, 42, 59, 60, 68 ; Turgot's *Life of Queen Margaret*.

utmost to love and venerate Christ, often visited them, and commended herself to their prayers; as she could not induce them to accept any earthly gift from her, she implored them to prescribe for her some work of charity or mercy. Whatever they desired she devoutly fulfilled, either relieving the wants of the poor or comforting the sick and afflicted. As the religious devotion of the people brought many from all quarters to the church of St. Andrews, she erected dwellings on both sides of the Firth of Forth, so that the pilgrims and the poor might find everything ready there which was required for the refreshment and rest of the body. Servants were appointed there to minister to them, and vessels were provided to ferry them across without payment.”<sup>71</sup>

In the preceding pages of this section it appeared that in the tribal organisations personal rights in connection with the land had arisen. The local ruler of the tribe and other officials associated with the polity of the tribe had obtained personal rights in the land; in so far, at least, as they could dispose of such rights to other parties. It further appeared that the King of Scotland had acquired rights in tribal lands which he could dispose of, and also that all the lands within the kingdom were, in the eleventh century, subject to a national tax. The custom of commuting all forms of crime by a scale of fines, fixed according to personal rank, was noticed, and various customs and practices associated with the institution of marriage, were stated. A brief reference to the state of religion, and to Queen Margaret in relation to it, concluded the section. Taking a view of the entire movement since the foundation of the monarchy, its advance was remarkable; and nothing had, as yet, occurred to arrest the progressive development of the kingdom and the civilisation of the people.

## SECTION XI.

### *Early Architecture. Sculptured Stones.*

In preceding sections various early structures have been noticed, some of which were of a characteristic type, but the singular and curious structures now to be briefly described have occasioned much discussion. This class of erections are called Brochs. The area of their local distribution has been stated thus: Only three specimens

<sup>71</sup> *Book of Deer*, Pref., pp. 105-106; *Register of Dunfermline*, p. 3; *Turgot's Life of Queen Margaret*, Ch. 9.

are known south of Glenmore—1 in Berwickshire, 1 in Stirlingshire, and 1 in Perthshire;<sup>72</sup> in Inverness-shire, 47; in Ross-shire, 38; Sutherlandshire, 60; Caithness, 79; Orkney, 70; and in Shetland 75, making a total for the five northern counties of 369. But the greater part of those in Ross-shire and Inverness-shire are in the islands attached to these two counties.

The Brochs are all constructed on one typical form, so unvarying that they afford no indications for tracing the development of their special form through a series of stages. "I once heard an eminent Scotch antiquary, very familiar personally with their appearance, gravely maintaining that they were all erected at one time, and from one plan and specification. Though this is, of course, absurd enough, there is not, so far as I know, any example in any part of the world of so numerous a class of buildings which show so little difference in design and dimensions."<sup>73</sup> The leading features of the Broch may be described as consisting of a circular tower of dry-built masonry, pretty wide and high, and enclosing a central area open to the sky, having all its apartments looking into the enclosed inner court, excepting the entrance to the central area, and having its chambers, stairs, and galleries, formed within the thickness of the enclosing wall. None of the existing specimens are complete, and their original height has not been precisely ascertained, but from the remains and indications of structure it has been inferred that they were from thirty to upwards of fifty feet in height. The only varying point is in their dimensions; as the external diameter of the Brochs varies from forty to seventy feet, so the inner court varies from about twenty to forty-five feet, owing partly to the thickness of the walls, which also vary from about nine to twenty feet. The wall is built solid for about ten feet, excepting the entrance, and where it is partially hollowed by

<sup>72</sup> In the month of May, 1891, the members of the Galashiels Ramblers' Club discovered what appeared to be a Broch on Crosslee Hill in the vicinity of that town. My friend, Mr. Geo. Desson, gave an account of it which appeared in the *North British Daily Mail* of the 15th May. He says: "All that remains of the structure is the foundation of the walls, which measure 17 feet 6 inches thick, and about 2½ feet high. The walls are of circular form, and enclose a central area of 39 feet 6 inches in diameter; from the central court there are openings to three passages, which apparently led to chambers, two of which have not yet been cleared of the debris, but in the one that has been dug out there is a passage 6 feet long and 3 feet 8 inches wide, while the interior of the chamber is 14 feet long by 4 feet wide."

<sup>73</sup> *The Brochs*, etc. J. Fergusson; p. 8.

the construction within its thickness of oblong apartments with vaulted roofs. Above this the wall is built with a vacancy of about three feet wide between the inner and outer portions. Upwards, at every five or six feet, this vacancy is crossed by horizontal ranges of slabs inserted as ties between the outer and inner shells of the walls, and thus their upper surfaces form a floor to the space above and their under surfaces a roof to the space below. These spaces form galleries of some six feet high and three feet wide, separated from each other by the slabs of their floors and roofs, and they run round the tower, except where they are crossed in succession by the stair which-gives access to them, and their dimensions contract as they approach the top of the tower. The galleries were lighted by ranges of windows above each other, which all looked into the central court enclosed by the wall of the tower. At various points of the inner court are placed the entrances to the apartments on the ground floor, within the thickness of the wall, and to the stair which ascends to the galleries. On the outside of the Broch there is only one entrance, a doorway opening off the tunnel-like passage leading into the central court; it is always on the ground level, from five to seven feet in height, and about three feet wide, passing direct through the thickness of the wall, and so varies from nine to twenty feet in length; at about four feet inward there is a rebute of the masonry faced with slabs, inserted edgeways in the wall, and forming cheeks for the door, behind which are the bar-holes, and behind them the opening to a guard-room built in the thickness of the wall.<sup>74</sup>

On the ground floor there are usually three or four apartments, in which the people who possessed the Brochs lived. In the central courts of several of them there were drains for conveying the surface water outside the building; and in many of them there were walls which secured a water-supply within the enclosed area of the building. In short, the Brochs clearly indicate a very definite intention in the minds of their constructors, for the design of the structure and the whole arrangements of its separate parts evince a most careful and elaborate adaptation of means and materials to attain the desired ends—shelter and defence. “The clever constructive idea of turning the house outside, as it were, placing its rooms within its walls, and turning all their windows towards the interior of the edifice, implies

<sup>74</sup> Anderson's *Scotland*, pp. 168, 200-202; *Pro. Soc. Antiq. Scot.*, Vol. III., p. 189, 191-193; Vol. VII., pp. 290-292, 296-300.



boldness of conception and fertility of resource. The height of the wall, which secured the inmates against projectiles, also removed its essentially weak upper part beyond the reach of assault, while the pressure of its mass knit the masonry of the lower part firmly together, and its thickness made it difficult to force an entrance by digging through it—if such a wall could be approached for this purpose when the whole of its upper materials were deadly missiles ready to the hands of the defenders.” The door, secured by its great bar, was too strong to be carried by a rush; and, placed four or five feet within the passage, it could only be reached by one man at a time, and the narrowness of the passage prevented the use of long levers. Even if it had been forced, and the entrance to the inner court gained, the enemy would have found himself, as it were, in the bottom of a well thirty to forty feet in diameter, with walls fifty feet high, pierced on all sides with ranges of loopholes commanding every foot of the space below. “In short, the concentration of effort towards the two main objects of space for shelter and complete security was never more strikingly exhibited, and no more admirable adaptation of materials so simple and common as undressed and uncemented stone for this double purpose has ever been discovered or suggested.”<sup>75</sup>

No doubt the origin of the Brochs is assignable to the circumstances and the conditions under which the people lived. As we have seen in the preceding pages the Norsemen commenced their inroads in these localities where the Brochs were erected, and these structures were the most suitable and effective defences against the attacks of marauding enemies, which could then have been devised. The hordes of Norsemen infested the northern and western districts of the country for several centuries before they conquered the people and settled down in any part of the mainland of Scotland. Thus we can easily realise the reasons and the motives which originated the Brochs, and induced the people to make the great and laborious efforts evinced in the remains of these constructions. Further, we know that the inhabitants of the localities where the Brochs are found, had long before the age of these structures learned to labour and to wait, as the chambered cairns of the Stone Age witness. The manifestation of the constructive faculty, a concentration of thought, of energy, and of labour, directed to the accomplishment of a common object, was no new thing which

<sup>75</sup> Anderson's *Scotland, Iron Age*, pp. 203-4.



had suddenly started up in this ancient region. But new historic conditions had arisen, new enemies had appeared upon the scene, which changed the surrounding circumstances, and the genius and intelligence of the people rose to the occasion, and they made the best use of the means at their command to protect and defend themselves.

It has been stated that the Brochs are peculiar to Scotland. Though there are many round towers in Ireland and elsewhere, their type is not similar to the Scotch type. "Out of Scotland the type is totally unknown. It is a type possessing features so distinct and peculiar, so numerous and well-marked, so pronounced in their absolute individuality, that if it exists anywhere it is capable of being instantly recognised. But no single instance occurs in Ireland or Wales or Cornwall; no trace of it is found in England, France, or Scandinavia. It is absolutely confined to Scotland alone."<sup>75</sup>

Attempts have been made, however, to show that the Scotch Brochs were erected by the Norsemen. The main ground on which it has been sought to assign these peculiar structures to this people is, because the Brochs are nearly all found in the localities which were at one time more or less occupied by them. This circumstance does afford a presumption in favour of assigning the erection of the Brochs to them, and if it were supported by other circumstances, and clear traces of Norse products associated with these structures, the presumption might be rendered decisive. No trace of this special type of building has been discovered in the Norsemen's own lands, and further, it has been shown that the implements, tools, and objects associated with the occupation of the Brochs are not Scandinavian in their forms and characteristics, but on the contrary are characteristic of the groups of implements and objects of the Celtic area of Scotland in post-Roman times.<sup>76</sup> Thus the presumption founded on locality completely falls to the ground, and no other tangible trace of the Norsemen's connection with the erection of the Brochs has, as yet, been discovered.<sup>3</sup>

The traces of the life of the people who occupied the Brochs, dis-

<sup>75</sup> Anderson's *Scot. Iron Age*.

<sup>76</sup> *Ibid.*, p. 259. Dr. James Ferguson contends, with much determination, that the Brochs were erected by the Norsemen. Except the geographical presumption, which he uses with great ingenuity, he adduces no valid evidence whatever to establish his contention. See *The Brochs, etc., of the Orkney Islands and the North of Scotland*.

closed by excavations and investigations in connection with their contents, are of considerable historic value, and may be briefly noticed. The objects found in and around the sites of the Brochs consist of manufactured implements, tools, and ornaments, of stone, bronze, and iron. Many stone querns—small hand mills for grinding grain,—stone pounders of various sizes, stone mortars, drinking-cups, hammer-stones, stone vessels of large size, stone spindle-whorles, and other tools ; many articles in bone, such as combs of various kinds, long-handed ones, short round-backed, single-edged ones, and double-edged, some of which were ornamented ; bone-buttons, pins in a variety of forms, and some of them ornamented, bone needles neatly made, and other bone objects. Bronze tweezers, pins, armlets, and other objects ; several iron implements—spear-heads, daggers, knives, and chisels. Clay moulds for casting bronze pins, a large number of spindle-whorles for spinning with the distaff and spindle, many fragments of home-made pottery, and other articles of domestic use.

Amongst the refuse of the food of the Broch occupiers, the following were found :—Remains of animals, consisting of the ox, sheep of small size, the goat, the pig, the horse, dogs of various sizes, the reindeer, red-deer, and the roe ; birds and fowls not in great numbers, but some of large size. Among the marine remains were a species of whale, the porpoise, the dog-fish, the cod, and haddock, and such edible shell-fish as the oyster, the mussel, the cockle, the periwinkle, and the limpet, were abundant.<sup>77</sup>

From the above statement of facts taken in connection with the characteristics of the Brochs themselves, it appears that the people who possessed and inhabited them were cultivators of the ground. They grew grain, kept flocks and herds, hunted the woods, and fished the sea for their food. They practised industries and arts which demanded intelligence and technical skill, and it seems almost certain that they manufactured all the weapons and implements which they used ; and we know that they made their own ornaments, as the clay moulds, crucibles, and the cakes of rough metal, have been found in several of the Brochs. The women practised the arts of spinning and weaving, while the men made the implements of stone and bone and the ornaments. They had attained to a stage of considerable culture and civilisation, and it is clear that they were the people of the soil, and

<sup>77</sup> Anderson's *Scot. Iron Age*, pp. 211-258 ; *Pro. Soc. Antiq. Scot.*, Vol. VII., pp. 43-46, 56-79, 426-436 ; Vol. VIII., pp. 188-204 ; Vol. X., pp. 5-23 ; *Orkneyinga Saga*, Introd., pp. 109, 110.

that they had been long settled on it. Indeed, there is not a shred of evidence, either circumstantial or recorded, that they were a horde of strangers who had newly effected a lodgment in a hostile country.

It was mentioned in a preceding section that the earlier religious erections in Scotland were usually formed of wood, which possibly rested upon a stone foundation. Fragments and remains of a number of examples of rude stone chapels and cells which were erected before the twelfth century still exist. They mostly occur in the Isles; and, beginning with those which appear to be the earliest, I will proceed to notice briefly the others in succession.<sup>78</sup>

Loch Columcille, in Skye, was drained about seventy years ago by Lord Macdonald, and what was once an island in the centre of the loch is now an elevated spot in marshy ground. This patch of ground extends to about three acres, and on its northern side are the remains of an irregular circular enclosure of rude and uncemented masonry, measuring about sixteen yards in diameter from east to west, and eleven from north to south; within the enclosure there are traces of three cells and other erections, which were probably covered with beehive vaulting. One of the ruins, called St. Columba's Church, measured internally twenty-two feet in length and twelve feet in width. On the small island of Eilean na Naoimh, which lies between Scarba and Mull, there are the remains of a number of beehive cells with dry-built walls, which were associated with a small church, also built of undressed stones without mortar of any kind. This church had only one small window placed in its east end, and the cells connected with it were very small. A considerable number of these small churches and cells have been found in the Western Isles and even in Orkney. Amongst the ruins of the monastery in the Isle of Inchcolm, there is a very early specimen of a stone roofed cell. It is irregular in form, and internally sixteen feet in length, six feet three inches wide at the east end, and four feet nine inches at the west end. The walls are three feet thick. The doorway was placed in the south wall near the west end, and it was five feet high and four feet wide, with inclining jambs and roughly arched externally by a radiating

<sup>78</sup> There were also a number of caves associated with the names of the early saints and missionaries who were engaged, from the fifth century to the ninth, in spreading the Gospel among the tribes of Scotland, and the walls of these caves are covered with memorials of their devotion in the form of small crosses sculptured on the rocks. See *Sculptured Stones of Scotland*, Vol. II., App. to Pref., pp. 87, 88, *et seq.*

arch, but internally the arch was formed in the older overlapping principle. It had only one small window, placed in the east end. The roof was vaulted with stones in the form of a radiating arch, and the centring stones roughly wedge-shaped, and the space between the upper surface of the vaulting and the stone-roof was filled with small stones and a grouting of lime, in which were bedded the oblong roofing stones.<sup>79</sup> Such were the primitive forms of the earliest stone churches in Scotland.

The next stage showed an approach towards the form of the chancelled church, passing through various types, which may be briefly indicated thus :—A church with a chancel added on to the nave but not banded into it, which showed a transition from the single chambered structure to the double chambered form. In some specimens of this variety the opening from the nave to the chancel is flat-headed and formed with inclined jambs, and in others the end of the barrel-vault of the chancel roof opened directly into the nave. Then came the developed chancel arch, associated with other features which passed into the current architecture of the twelfth century. There are examples of the Celtic chancelled churches in the Isles, while the church of St. Regulus at St. Andrews presents a fine specimen of the fully developed form of this style.<sup>80</sup>

There are two characteristic round towers of ecclesiastical origin in Scotland, one at Brechin in Forfarshire, and the other at Abernethy in Perthshire. They are not now connected with the remains of an early Celtic church ; but the Tower of Brechin stands in the churchyard, and the Abernethy one stands partly within and partly beyond the churchyard. They resemble the round towers of Ireland, and belong to that class of structures.

The round Tower of Brechin stands at the south-west angle of the Cathedral, which now embraces nearly one-fourth of its circumference. At the base its external diameter is fifteen feet three inches, and its internal diameter seven feet eleven inches, and the walls are three feet eight inches thick ; at the top its external diameter is thirteen feet, and the internal eight feet one inch, and the walls two feet five inches thick. The height of the Tower from the base to the spring of the modern spirelet, which now crowns it, is eighty-six feet

<sup>79</sup> Muir's *Characteristics of Old Ch. Arch.*, pp. 2, 56, 141, 143, 205, 206 ; *Pro. Soc. Antiq. Scot.*, Vol. II., p. 489, *et seq.* ; Reeves' *Adamnan*, p. 138.

<sup>80</sup> Anderson's *Scot. in Early Christian Times*, pp. 32-37 ; *Lectures on Mediæval Architecture*, by Sir Gil. Scott, p. 24.



nine inches ; it is perfectly circular and tapers regularly from base to summit. Internally it is divided into seven stories by string courses. It is built of a hard reddish sandstone, and the masonry is massive ; the stones are cut and fitted to each other with remarkable neatness ; the courses are mostly horizontal with some irregularity, and the joints are not uniformly vertical. There are six windows, one in the third story, another in the fourth, and four in the upper story, which show certain peculiarities of structure. The doorway, however, is the most interesting feature of the Tower. Its dimensions are these :—The breadth at the spring of the arch is one foot seven and a half inches, and at the sill one foot eleven inches ; the height of the entrance to the centre of the arch is six feet one and a half inch ; and its entire height from the base of the external ornament to the summit of the crucifix, which surmounts the centre of the arch, is eight feet eleven inches. This doorway is formed of four stones, with jambs inclined towards each other. The jambs have a raised band, and rows of pellets run all round the doorway between two narrow fillets, while about the middle of the jambs on each side there are raised panels with figures of ecclesiastics in relief ; and on the lower part of the jambs on each side there are crouching figures of beasts, bearing a close resemblance to some of those carved on the early sculptured stones. From various structural relations and associated circumstances, it seems highly probable that this Tower was erected in the eleventh century.

The Abernethy Round Tower is built of stones dressed to the curve, laid in horizontal courses with the joints vertical, and thus it differs somewhat in its masonry from the Brechin Tower. But the general features of form and construction of the two towers are remarkably similar. The Abernethy Tower is seventy-two feet in height, and it is divided into six stories by string courses, and it originally had seven windows. It appears that the original purpose of these towers was to afford an asylum for the ecclesiastics, and especially a place of security in times of war for the precious relics of the famous saints, such as shrines, crosiers, books, and bells, which were regarded with extreme and almost incredible veneration both in Ireland and in Scotland.

Stone monuments of various kinds associated with the memory of the dead, have already been treated in the prehistoric sections ; and once more attention must be directed to a somewhat analogous, but a later and more artistic series of monumental stones. This series or



class is known as the Sculptured Stones of Scotland. For various reasons it will be necessary to deal with them at some length. The transition from the rough and undressed standing-stones and circles which were treated in connection with interments, to those now to be handled, was not abrupt, the progress from the earlier classes of monuments to the later classes proceeded gradually. Points of much historic interest and importance, both of an ethnic and artistic character, are inseparably associated with the Sculptured Stones.

The earliest class of sculptured stones are generally of granite or whinstone, and undressed, with peculiar symbols and figures incised on one face of the stone only, and with no Christian symbol of the cross. Nearly one hundred of this class have been figured or described. The area in which they have been found stretches from the Firth of Forth to Caithness, or over the eastern half of the country. But they are most common in the region between the Tay and the Spey; scarcely a single example occurs south of the Firths of Forth and Clyde, nor in the Western Isles nor Argyle. They are mainly distributed thus,—three between the Forth and Tay, six between the Tay and the Dee, thirty-six between the Dee and Spey, and twenty-one to the northward of the Spey. In the same districts there are (or were) forty-three standing slabs more or less dressed, and with both faces sculptured; and on these the peculiar symbols of the rough stones appear carved along with crosses of various design and degrees of ornamentation. As to the local distribution of this class, twenty-seven were found between the Forth and the Dee; six between the Dee and the Spey; and ten to the north of the Spey.<sup>81</sup> A large number of such monuments have doubtless disappeared through the action of various causes and agencies, long before an intelligent historic interest was directed to them in this country.

Within the above area, and in other quarters of the kingdom, there are other sculptured monuments which differ from both of the types just indicated, and which are also Celtic in their leading characteristics. In the West of Scotland two types of monumental stones occur: 1, The free-standing crosses, ornamented in a fine Celtic style, but differing from the eastern monuments in the absence of the peculiar symbols. 2, At a much later period the stone cross of the West

<sup>81</sup> *Sculptured Stones of Scotland*, Vol. I., Pref., pp. 6-8; Vol. II., App. to Pref., pp. 74, 75. The symbols occur on a fragment of a stone at Edinburgh, and on a rock in Galloway.

Coasts and Islands became characterised by a style of art which differed from the distinctive forms of the pure Celtic art. The distinguishing features of this latter style, consisted in the elaboration of graceful forms of foliage, and a freer development of the knot and scroll work than appears on the earlier stone cross of the eastern division of Scotland.

A number of erect undressed stones, with incised crosses simply, and all of archaic character, have been observed here and there throughout the country, and this group seems to present the earliest examples of the unornamented series of crosses. A more complete classification of the early incised crosses without the figured and peculiar symbols, and the other series having these peculiar symbols incised on them but without any cross, may hereafter be attained by carefully tracing the indications of development, and then showing that both classes passed into the decorated type, which presents the curious symbols and the cross, and also combined them with other subjects and scroll ornamentation.

Although it cannot be proved by direct evidence that the rough upright stones with the peculiar symbols incised on them succeeded the rough unsculptured standing stones, found singly and in circles throughout Scotland, still there are many facts and associated phenomena which point to this conclusion. For that circles of rough pillar stones were placed around the graves of our ancestors ages before the introduction of Christianity into this country cannot be questioned. When, therefore, similar undressed stones have been found standing with peculiar figures incised on one of their faces, which figures cannot be proved to have any reference to Christianity, why should it be assumed that these figures were Christian in their origin? Let us try the point in this way. Is the Cross an essential symbol of Christianity or not? If the sign of the Cross was believed to be so full of virtue and power as it is represented to have been in this country in early Christian times, is it conceivable that Christians would have cut figures and symbols on stone monuments without a cross on them? We are told that it was then a custom to cross tools and implements before using them, and if these rough monuments be of Christian origin, we must suppose that, though the very tools with which the figures were cut had been crossed and blessed, yet the men who used these tools so far forgot themselves that they never thought of cutting a cross—the chief symbol of their religion—on any of

these stones.<sup>82</sup> Instead of advancing a view which involves such unwarranted assumptions, it seems more in accordance with ascertained facts and associated circumstances, to infer that these rude sculptured stones existed in Scotland with the peculiar symbols cut on them before the great emblem of the Christian Cross had become known in this quarter of the globe. Upwards of a hundred examples of these rough pillar stones with the symbols but no cross have been found, and doubtless a much greater number existed in earlier times. The curious symbols were continued, like many other things, into Christian times, as they frequently re-appear in monuments wherein the main idea and leading feature is the Christian cross. The monuments of the Christian period were mostly formed of dressed slabs with sculptures on both sides. On one face a cross in the centre covered with ornamental work of intricate and varied patterns, and with the peculiar symbols still retaining their original outline as on the rough stones, although usually overwarped by ornaments appropriate to the Christian cross style. On the reverse of the same stone different objects or scenes were frequently depicted.

The peculiar symbols may be briefly described. One of those which often occurs is a crescent combined with a rod, resembling the letter V, and terminating in ornamented extremities; the body of it is occasionally plain, but oftener filled with ornaments. Another

<sup>82</sup> *Sculptured Stones of Scotland*, Vol. I., Pref., 2, 3; Vol. II., Pref., 5-7. Dr. Anderson deemed it unnecessary to discuss at any length the question of the pagan origin of these peculiar symbols which first appear on the rough unhewn stones; yet he makes a somewhat sweeping generalisation to the following effect:—"And now I sum up the whole bearings of the evidence, whether derived from the general features or from the special art characteristics of these monuments in one generalisation. They are monuments of Christian character and Christian time. There is no evidence to show that there was among our forefathers any pre-existing or Pagan custom of erecting such sculptured monuments in honour of the dead. . . . We may find the cover of cist, a rude unshapely block, sculptured on its under side with cups and circles, or with triangles and rudely formed spirals. But we have never found in Scotland any monuments erected over a Pagan grave which exhibits the least approach to a truly artistic decoration. The custom of erecting such monuments is Christian and Christian alone, so far as Scotland is concerned, and the art they exhibit and the letters they bear were brought into this country with the copies of the Gospels from which Christianity was taught to the people." *Scotland in Early Christian Times*, pp. 132-133, 1881. Dr. Anderson's one generalisation is far too dogmatic, and hardly in accordance with ascertained facts, or even consistent with some of his own conclusions in other parts of his writings.

symbol of frequent occurrence consists of two circles connected by two slightly curved lines; sometimes it appears alone, and more frequently associated with a bent figure terminating in ornamented extremities. The circles are sometimes plain, but usually filled with concentric circles, forms of spirals, of interlaced work, or bosses in relief. A symbol of frequent occurrence somewhat resembles the shape of a horse-shoe; it usually appears alone, but sometimes in combination with a bent rod. Amongst the more common figures used as symbols on these stone crosses, are the head of an animal which appears in a variety of combinations; a figure formed of three circles, a large one in the centre with a smaller one attached at each side; a smith's anvil, a hammer and tongs, and the shears along with the mirror and comb.<sup>83</sup>

A number of the representations on these stones have been explained as scenes from the Bible.<sup>84</sup> But I have limited myself to a plain statement of what appears on the stones, without attempting to load them with far off interpretations. Although the primary purposes of these monuments was sepulchral and memorial; there can be no reasonable doubt that many of the accessories which appear upon them, such as the costume, the weapons, and many other distinctive objects, were those of the country and the period. In this relation as illustrative materials of unwritten history they have a considerable value. They afford illustrations of human life in Scotland, and show it in its common, as well as in its ecclesiastical and military characteristics. The scenes on these stones depict the dress of the warrior, the huntsman, the ecclesiastic, and the pilgrim. Such important tools and weapons of the period, as the knife, the axe, the dirk, the spear, the sword, the shield, and the bow, are all admirably represented. We learn from these representations that the horsemen of the age rode without spurs or stirrups, sat upon peaked saddle-cloths, and used snaffle-bridles with check rings and ornamental rosettes; that they travelled on horseback, and wore peaked hoods and cloaks; that when hunting, or on horseback armed, they wore a kilted dress falling a little below the knees, and a plaid across the shoulders. When travelling on foot they wore tight-fitting under garments, and a plaid loosely wrapped round the body, and some-

<sup>83</sup> *Sculptured Stones of Scotland*, Vol. II., pp. 22-23; App. to Pref., 1-12, 19-21; *Pro. Soc. Antiq. Scot.*, Vol. X., pp. 333-347, 637-640.

<sup>84</sup> Dr. Anderson in his *Scotland in Early Christian Times*, has given Scriptural interpretations of certain scenes of some of the stones. See pp. 144 173.



times a tight jerkin with sleeves and belt round the waist. They wore their hair long, flowing, and curly, sometimes with peaked beards, at other times with moustaches on the upper lip, and shaven cheeks and chin.<sup>85</sup> They used long bows in war, and cross-bows in hunting. Their swords were long, broad-bladed, and double-edged, with triangular pommels and straight guards; their spears had long heads, and their shields were rounded and furnished with bosses. On horseback they fought with sword, spear, and shield; and on foot with sword and buckler. They used two wheeled carriages with poles for draught by two horses, the driver sitting on a seat over the pole, and the wheels had ornamented spokes. They used high chairs with side-arms, carved backs, and sometimes ornamented with heads of animals. Their boats had high prows and stern-posts. They used trumpets, and played beautifully on the harp. The ecclesiastics of the period wore long dresses, which were richly and elaborately embroidered; they walked about in loose short boots, and carried crosiers, and book satchels in their hands.<sup>86</sup> Such are a few of the many his-

<sup>85</sup> "Long and flowing hair was at first evidence that the wearer was a noble, and always that he possessed unforfeited and unimpeached all the rights of a freeman. It conferred dignity on the wearer, and the highest and most illustrious were proud of it. It was the distinction in which the Carlovingian Kings of France most glorified; and Harold, Fairhair, and Canute the Great, considered that the length and beauty of their hair added to their lawful claims to popular admiration. In the earliest periods, beards and moustaches were worn of immense size, and were especially esteemed by such of the population as were of British descent. The want of them was considered by the laity as a mark of weakness and vulgarity, and by the clergy as evidence of effeminacy and dissolute life. The Anglo-Saxon priesthood persisted in wearing them, in defiance of canonical prohibition, till Dunstan compelled them to shave in an orthodox manner.

"If the right of wearing long hair was important to men, it was doubly so to women; for with them it was not only a mark of rank, but of chastity. Every young freewoman, while unmarried, was said to be in her hair, which she wore long and loose; and when she married, she was required to dress it in a different manner. If she misconducted herself, it was cut off altogether." *Sculptured Stones of Scotland*, Vol. II., App. to Pref., pp. 6-8, and Vol. I., plates 61, 77, Vol. II., plate 103. There is some very curious information touching the subject in the *Ancient Laws of Ireland*. It is worth mentioning that cropping the hair and beard is to this day a part of military and criminal punishment.

<sup>86</sup> *Sculptured Stones of Scotland*, especially in Vol. I. throughout, plates 26, 16, 29, 46, 52, 69, 76, 25, 43, 47, 58, 64, 70, 80, 82, 49, 93, 77, 61, 74, 126, Vol. II. plates 16, 2, 4, 12, 129.



toric and interesting facts which are portrayed with striking distinctness on these monuments.

Touching the art of these monuments, the earliest type, the undressed pillars without the cross, exhibit little art. The peculiar symbols, already described, are simply formed by incised lines, with little ornamentation. The floriated ends of the sceptre appears in various forms, the divergent spiral, and attempts to represent the feathers of a bird by angular lines and long flowing lines. But the range of decoration is very limited in this class of monuments, although it is essentially and characteristically Celtic, and this was its earliest stage on stone.

When we come to examine the stones with crosses on them, we find that the art becomes developed to a high degree of perfection. It is clear that the leading ideal and aim of the art manifested on these monuments was decoration ; and its prevailing characteristic is a decoration of panels separated from each other by borders and then treated as surfaces. These surfaces often result from the divisions of the general surface by the main design, which may be a cross embracing the entire length of the stone. At other times the cross is divided into panels, or the spaces on each side of the shaft. Again, there is sometimes a border of decoration round the chief subject, which is divided into panels. The general surface is always decorated in spaces which balance each other exactly. The greatest elaboration on the surface of the finest monuments is attained by the use of interlaced work. The designs are not very numerous ; but the divisions and the variations of the decorative and the symbolic ornaments appear to be almost infinite, the combinations endless, and yet beautiful, balanced, symmetrical, and perfect specimens of art.<sup>87</sup>

No other monuments show a greater profusion of ornament, or a style of decoration more striking and effective in its result. The art exhibits originality and individuality, always like itself in its distinctive characteristics. In short, these ancient monuments clearly indicate that the men who produced them were gifted with imaginative, reproductive, and elaborative faculties of a high order, associated

<sup>87</sup> Dr. Anderson has treated the art of these monuments at great length, and with much care and precision. See his *Scotland in Early Christian Times*, pp. 97-135, 1881. The late Dr. John Stuart, the editor of the two volumes of the *Sculptured Stones*, has also, in his two prefaces and notes, presented much valuable information.

with an intensity of feeling and a concentration of attention directed to the attainment of a definite end, rarely manifested anywhere.

It is probable that the more ornate and decorative features of this art were not originated and continuously developed as sculptures on stone. Although there is no reason whatever to doubt that the art of the rough incised stones bearing the symbols only, with no cross, did originate in Scotland, but its special characteristic consisted in incised work, which showed little decoration of any kind. The decorative and ornate characteristics of the art, no doubt, were first developed in the pages of the illuminated manuscripts; and this art of illuminating manuscripts was developed to a high degree of perfection at an early period in Ireland. The same art was practised in Scotland, though only a few specimens of it remain, which do not approach the perfection of the Irish examples. "It is interesting to compare these Irish illuminations with those of the Book of Deer, which may be presumed to be a work of Scotch art of a period not later than the volume of MacDuran, who died in 927, so the age of his work is the early part of the tenth century; and it will be remarked in the specimens here given, that the ornamented patterns composing the surrounding borders are identical with those on many of the crosses, and the design of the latter is, in many cases, the same as that of a page of the manuscripts, showing a rich border round the margin of the stone, with pictorial representations inside. The peculiar art of the Irish illuminations and the Scotch crosses is found on many bronze relics of the Christian period, as well as on those of an earlier age."<sup>88</sup>

<sup>88</sup> *Sculptured Stones of Scotland*, Vol. II., App. to Pref., p. 81. "The peculiarities of the Irish style consists,—1, in the entire absence of foliage or other vegetable ornament, the classical acanthus being entirely ignored; and 2, in the extreme intricacy and excessive minuteness and elaboration of the various patterns, mostly geometrical, consisting of interlaced ribbon work, diagonal or spiral lines, and strange monstrous animals and birds, with long top-knots, tongues, and tails intertwined in almost endless knots. The most sumptuous of the manuscripts—such, for instance, as the Book of Keels, the Gospels of Lindisfarne and St. Chad, and some of the manuscripts of St. Gall—have entire pages covered with the most elaborate patterns in compartments, the whole forming beautiful cruciform designs, one of these facing the commencement of each of the four Gospels. The labour employed in such a mass of work must have been very great, the care infinite, since the most scrutinising examination with a magnifying glass will not detect an error in the truth of the lines or the regularity of the interlacing; and yet, with all this minuteness, the harmonious

It thus appears that it was only after the decorative elements of the art had attained a high degree of elaboration on parchment, that it began to be generally applied to stone in Scotland. It seems also probable that, looking to the profusion and quality of the ornament and decoration on the early stone monuments of Scotland, that there would have been something like a proportionate quantity on the pages of books which have perished. Some of the elements of this art are common, however, to a wider area than that of Celtic Scotland, Ireland, or Europe, being found, to a greater or less extent, in the art of many nations. Still the Celtic art of Scotland has distinctive characteristics of its own ; in like manner as the art of other nations have special peculiarities which distinguishes each from that of others : for there is nothing in the world which stands absolutely alone and out of all relation. The essence of art belongs to the human mind and to humanity. But different nations have embodied their art in a variety of forms, differing in degrees of perfection and development, or in the elaboration given to certain elements of art, and special forms and characteristics.

The ethnic implications connected with these monuments remain to be considered, and may be shortly stated thus :—The region in which the greater number of these ancient monuments have been found, and those of the most distinctive and characteristic type, embraced the whole of eastern Scotland, from the Firths of Forth and Clyde to Caithness. This is the region where both the undressed stones bearing incised symbols on one side, but no cross, and the dressed stones bearing crosses and symbols ; and here Celtic art

effect of colouring has been introduced.” O. Jones’s *Grammar of Ornament*, p. 3, quoted in *Sculptured Stones of Scotland*.

Mr. Westwood says—“ The principles of these most elaborate ornaments are, however, but few in number, and may be reduced to the four following :—1st, One or more narrow ribbons diagonally but symmetrically interlaced, forming an endless variety of patterns. 2nd, One, two, or three slender spiral lines, coiling one within another till they meet in the centre of the circle, their opposite ends going off to other circles. 3rd, A vast variety of lacerative animals and birds, hideously attenuated and coiled within one another, with their tails, tongues, and top-knots forming long narrow ribbons irregularly interlaced. 4th, A series of diagonal lines, forming various kinds of Chinese-like patterns. These ornaments are generally introduced into small compartments, a number of which are arranged so as to form the large initial letters and borders or tessellated pages with which the first manuscripts were decorated. *Sculptured Stones of Scotland*, Vol. II., App. to Pref., p. 77.

attained the highest development which it ever reached in Scotland. It will be remembered that this was the country occupied by the people called the Picts. It is, therefore, a fair inference that these monuments were the work of the Pictish people. Further, it has been amply proved that the art of these monuments is essentially and intensely Celtic ; and so the ethnic conclusion is, that the people also were intensely Celtic in spirit and race.

Touching the probable period of these monuments, taking them as a whole, it would be vain to fix on precise dates. But, excepting the rough stones with incised symbols on one side, the entire class of those with crosses probably range from about the middle of the ninth century to the end of the eleventh. Some of the incised stones may be a century or two earlier.

Having indicated the origin and the art of the sculptured stones, the early monuments with inscriptions on them comes in succession. Inscribed monuments of this period are rare in Scotland. Amongst the Celtic people of Britain and Ireland the earliest form of giving visible expression to a fact or event in writing was by using Ogham characters. The Ogham alphabet consisted of numbers of digit-like characters, which were arranged upon a stem line in groups when used on stone monuments, but it was sometimes used on metal work, in manuscripts, and on the wooden staves of the Irish poets. There are upwards of a hundred Ogham inscriptions in Ireland, and twenty-five in Wales, but there are only five examples known on the mainland of Scotland. One on a cross found at Scoonic, in Fifeshire ; another on a fragment of a sculptured stone discovered in the churchyard of Aboyne, Aberdeenshire ; one at Logie, in the Garioch ; one on a stone found at Golspie, in Sutherlandshire, and another on the famous stone at Newton of Insch, Aberdeenshire. In the Orkney and Shetland Islands seven examples have been found, which together gives a total of upwards of one hundred and fifty characters. But the deciphering and reading of these Ogham inscriptions seems to be still beset with great difficulties, mainly owing to the uncertain value of the letters and the extremely archaic forms of the Celtic language in which they were written, and the remote circumstances associated with them.<sup>89</sup>

<sup>89</sup> *Sculptured Stones of Scot.*, Vol. II. Notices of the plates, p. 6 ; *Pro. Soc. Antiq. Scot.*, Vol. X., pp. 133-141, 602 ; Brash's *Ogham Inscribed Monuments of the Gaedhil in the British Islands*, 1879.



In Iona there are a few monuments with Gaelic inscriptions, but undated. Another Gaelic inscription occurs on a finely decorated cross at St. Vigean's, in Forfarshire. There are a few early monuments with inscriptions in partially debased Roman letters. One, called the Catstone, at Kirkliston, stands on the south bank of the Almond, in an area which, on examination, was found to be the site of an ancient cemetery. No other monument of this early period is known in Scotland still standing in the midst of its graves. Another inscription of the same class occurs on a rough slab at a spot called Yarrow Kirk in Selkirkshire. In the parish of Stoneykirk, Wigtonshire, there are early monuments with inscriptions in Latin, one of which has been translated thus :—

“ Here lies the holy  
and excellent priests,  
to wit, Viventius  
and Maiorius.”<sup>90</sup>

As the Ogham was the earliest form of writing among the Celtic people of Ireland and Britain, Runic was the earliest form of writing amongst the Teutonic race of Northern Britain. Thus monuments with Runic inscriptions occur in Scotland only in the districts which were colonised by the Norsemen. A few fragments have been found in the Northern Isles, and one complete monument only is known in the Hebrides, which once stood in the church of Kilbar, in the Island of Barra, and is now in the National Museum. It has a cross of Celtic form, and the Runic inscription states that—“Ur and Thur erected this stone after Raskur, Christ rest his soul.” Though the inscription is Norse, it appears that Celtic art held its ground even when the language failed. The same phenomena has been observed in a group of monuments in the Island of Man, which was the chief site of the Norse kingdom of Man and the Isles from 976 to 1266, and called in the sagas the kingdom of the Sudreys. On a cross at Ruthwell, in Annandale, there are inscriptions in two languages and two alphabets, the one set carved in Runes and the other in Roman capitals.<sup>91</sup>

<sup>90</sup> Anderson's *Scot. in Early Christian Times*, pp. 247-255; Reeves' *Adamnan*, p. 418.

<sup>91</sup> Anderson's *Scot. in Early Christian Times*, pp. 227-233; *Pro. Soc. Antiq. Scot.*, Vol. XII., p. 143, *et seq.*; *The Chronicle of Man and the Sudreys*, by Prof. Munch, Christiania, 1860.



Having in this section touched on the architecture of the Brochs, and the indications of culture among the people who erected and occupied them, the remains of early church structures were briefly noticed ; and, after describing the round towers of Brechin and Abernethy, I proceeded to treat the Sculptured Stone monuments historically. Indicated the area in which they were found, touched on the origin of the rough stones with the incised symbols, the relative sources of Celtic art, and the special characteristics of the art of the Scotch stone monuments ; and indicated the ethnic inference deducible from them, concluding with a reference to Celtic Ogham inscriptions and Runic inscriptions. In order to render the characteristics of early Celtic art in other forms more clear, the opening part of the next section will be devoted to the illustration of it.

## SECTION XII.

### *Characteristics of Early Celtic Art. Fragments of Early Literature.*

The period of native Celtic art stretches back beyond the Christian era, as we have already seen in the prehistoric age ; and it seems necessary to indicate the characteristics of this art as exhibited on metal work and other forms, as the culture and civilisation of a people can only be traced and disclosed in its continuity by the historic treatment of the products of the mind and feeling as manifested in the whole circle of their action. Beginning with such objects as reach back to the Bronze Age culture, we may observe the continuous development of this form of decorative art.

A bronze mirror, along with other articles, was found in draining a bog in the parish of Balmaclellan, Kirkeudbrightshire. Its form resembles the mirrors which appear on the sculptured monuments, and the part where the handle is joined to the body of the mirror is concealed by a finely ornamented plate. A massive collar of cast bronze was found in digging a well at Stitchell, Roxburghshire, in 1747 ; it is jointed, and opens on a hinge in the centre, and fastening in front by a pin and socket. Its ornamentation resembles the double escaping and divergent spirals of the later Celtic art. Closely similar in ornament to this collar is an armlet of thin bronze, found in 1826 in the parish of Borgue, Kirkeudbrightshire. It is ornamented by three raised mouldings, beaten up from the back, and run round it, but concealed on each side of the hinges by two thin plates

of bronze, which are ornamented in repoussè trumpet-like ornaments connected by curves. In 1806 a herd boy unearthed a hoard of gold objects on the side of the Shaw Hill in the parish of Kirkurd, Peeblesshire, which consisted of two twisted arm-rings, each weighing eight ounces, a broken ring of a similar form, forty small studs, and a hollow ornament weighing over four ounces. The bullion value of the whole amounted to about £110. The armlets are spirally twisted rods of gold, with flat extremities bent round to encircle the arm. The studs are spiral in form, and marked on the surface with a cruciform ornament in relief. These are a few examples selected out of many others which belong to the early Celtic school of art.<sup>92</sup>

As the art developed, its leading characteristic was exhibited in metal work with striking effect and beauty. In 1826 a shepherd, when passing along the hillside of Hunterston, six miles from Largs, observed a flattened-like ring of metal partially protruding from the soil, which he picked up. It turned out to be a silver brooch, and a specimen of artistic work in metal which has rarely been surpassed. It is large, measuring about four and a half inches in diameter, and it is elaborately decorated in the Celtic style, and in many of its features resembles the illuminated decorations of the manuscripts of the Gospels. It thus belongs to the art of the early Christian period, and the beauty of its design and decoration is almost equal to that of the best manuscripts. "The skill of its workmanship is such that it is questionable whether it could be greatly surpassed by the most skilful workmanship of the present day. It is only when its details are examined with a magnifying glass that the fitness and beauty of their minutest rendering becomes fully apparent."<sup>93</sup> A point of much interest connected with this brooch is that it bears on the plain portion of the back the autographs of two of its former owners scratched with a point in the surface of the silver; both the inscriptions belong to the later and more local variety of the Runic alphabet. The inscriptions are simple, mere markings of ownership, and have been read thus: 1, "Maelbritha owns this brooch; 2, Olfriti owns this brooch."<sup>94</sup> The first name is Celtic, and both names were common

<sup>92</sup> Anderson's *Scot., Iron Age*, pp. 126, 137, 138.

<sup>93</sup> *Ibid. Scot. in Early Christian Times*, p. 3, 1881.

<sup>94</sup> Various readings of these scratched inscriptions have been given. Their decipherment has been made the subject of several papers—Finn Magnussen in the *Annaler for Nordisk Oldkyndighed og Historie*, 1846, pp. 323, 399; P. A. Munch in the *Memoires de la Société des Antiquaires du Nord*, p. 202, 1845-49;

among the mixed population of the Norwegian province of the Western Isles. The forms of the Runes indicate a date about the tenth century, which would agree with the period when Celtic art-workmanship was approaching the point of its highest expression.<sup>95</sup>

In 1868, when the Sutherland railway was making through the parish of Rogart, a large earthfast stone was blasted, and in clearing away the rubbish one of the workmen found in the soil underneath the stone a hoard of brooches; and he at once left his work and disappeared. The number of the brooches found, was never ascertained, but two of them subsequently came into the possession of Mr. Macleod of Cadboll, and these two were known as the Cadboll brooches; and in 1888 they were purchased for the National Museum. A third one passed into the hands of the Duke of Sutherland, and is preserved in the museum at Dunrobin. The two now in the National Museum are penannular brooches of silver. The largest one is plated with gold, and measures four and a half inches in diameter, and the pin seven and three-fourth inches in length. The body of the brooch consists of a flattened band of silver, three quarters of an inch in width, and nearly a quarter of an inch in thickness, bent into a circular form and terminating at each extremity in an ornamental expansion of quarterfoil form, and an amber setting fills the centre of the terminal ornaments. Round this setting there is a circular space, enclosed by a plain raised border and quartered by similar partitions, each of which is filled with an interlacing pattern. The four semi-circular spaces surrounding the central circle, and forming the quarterfoils, are also enclosed by plain raised borders, and from each of these spaces there rises, to the height of half an inch, part of the body and neck of a large billed bird. Its eyes are set with green glass, the neck bends gracefully, and the long bill dips into the interior of the enclosed circle. In the middle of the bend of the circular part of the brooch, there is a circular space divided into four segments with a central setting of amber, and segments filled in with

Dr. Wilson's *Preh. Ann. Scot.*, Vol. II., pp. 267-277; Prof. Dr. Geo. Stephens, in his great work, *The Old Northern Runic Monuments of Scandinavia and England*, has given details of the inscriptions along with a critical discussion. Vol. II., pp. 589-599.

<sup>95</sup> "The art of the brooch, as I have shown, is Celtic, and the inscriptions are such as would be carved by natives of the restricted area, whose population was partly of Norwegian and partly of Celtic origin." *Scot. in Early Christian Times*, p. 6.

interlacing patterns. On each side of the circle there are two birds' heads similarly placed, and ornamented as those at the extremities of the brooch. The surface of that portion of the ring of the brooch between the central group of the two, and the terminal groups of the four birds' heads, is divided on each side into four panels filled with interlaced patterns. The pin is loosely attached to the brooch by a large loop open at the back, and the head is an oval expansion covered with interlaced patterns, continued down the front of the pin. The whole of these ornamental details are worked out with great delicacy and the utmost precision. "The brooch presents twenty-one different panels of interlaced work in gold, ten panels occupied by bird's heads, and twenty-four settings of amber and glass." The other brooch is smaller and simpler, though of the same class. These brooches present a striking speciality of form and decoration; they exhibit a class of ornamental metal-work not necessarily ecclesiastical in origin or use, but showing designs and patterns similar to the decorative art of the Celtic manuscripts.<sup>96</sup>

A considerable number of these early Celtic brooches in silver and other metal have been found in Scotland; and many of them are fine specimens of decorative art. There are other articles in silver and bronze which present this art, such as the massive silver chains of double circular links, which show upon their penannular terminal links symbols of a peculiar character, and are sometimes filled with enamel. Five of these chains, belonging to Scotland, are in the National Museum. One found in making the Caledonian Canal in Inverness-shire, consists of sixteen pairs of circular links, and a single link at one end. The links are solid bars of silver, each hammered round and bent circularly till the ends meet. It measured eighteen inches in length, and weighed ninety-two ounces. Another chain of a similar character, formed of rather smaller links, was found at Parkhill, Aberdeenshire. It consisted of twenty-three pairs of circular links, with a terminal link of a peculiar shape; and on the surface of this link there were dots on each side of a curved symbol, which sometimes appears incised on the sculptured monuments. On the opposite side there were triangular sunk spaces and three dots, and the sunk spaces had been filled with red enamel. A chain found at Whitecleuch in the parish of Crawfordjohn, in Lanarkshire, was

<sup>96</sup> *Pro. Soc. Antiq. Scot.*, Vol. VIII., p. 305; Vol. XXII., pp. 271-273. Anderson's *Scotland in Early Christian Times*, pp. 9, 11.



formed of twenty-two pairs of circular links, with a penannular terminal link, on which there appeared two symbols, often found associated with the decoration of the sculptured monuments.<sup>97</sup>

The Crosier of St. Fillan is an interesting relic of ornamented art, and it has also an exceedingly interesting history.<sup>98</sup> There are many other relics and objects which might be used to illustrate the charac-

<sup>97</sup> Anderson's *Scotland in Early Christian Times*, pp. 42-44.

<sup>98</sup> *Pro. Soc. Antiq. Scot.*, Vol. XII., pp. 122, 134. Dr. Anderson has treated the relics of St. Fillan in several publications. From the latest of these the following may be quoted :—"Putting together the several indications gathered from these documents, we find that before the Reformation there were in Glendochart five different relics of St. Fillan, and that in the case of each separate relic the authority of the Church had been unable to prevail against the Celtic usage which had up to that time preserved the lay succession of hereditary Dewars, and which, in the case of the Quigrich, succeeded in preserving it, not only till the Reformation, but down to the time when the Society of Antiquaries succeeded to the keepership of that relic.

"The five relics of St. Fillan, in the possession of their hereditary Dewars, each with a croft of land held by the tenure of the keepership, were as follows :—1, The Quigrich or Crosier, in the keeping of the Dewar of the Quigrich, who held the lands of Cryetindewer in Eyich. 2, The Bernane, in the keeping of the Dewar Bhernane, who held the lands of Dewar Bhernane's croft in Suy. 3, The Ferg, in the keeping of the Dewar-na-Ferg, who had Dewar-na-Ferg's croft in Auchlyne. 4, The Man, or Mayne, in the keeping of Dewar-na-Mayne, who had the Dewar-na-Mayne's croft at Killin. 5, The Meser, in the keeping of the Dewar de Meser, who had lands, including Coreheynan. The next question that arises is, how far the relics are now capable of being identified.

"The Quigrich is the ornamented head of the Crosier, now in the National Museum. . . . The Bernane, I think, may be identified as another relic of St. Fillan, also now in the possession of the Society. . . . The Ferg is quite unknown to me, and I am not prepared to hazard even a guess as to its identity. . . . The Mayne, according to the analogy of the word, ought to mean the hand, and we can readily conceive the application of this name to a very interesting and highly venerated relic of St. Fillan, viz., the miraculous left hand which he was wont to hold up when writing in the dark, as the servant, who looked through the chink in the door, saw that the left hand afforded a clear and steady light to the right hand. . . . In all probability the arm of St. Fillan was enshrined, at least as early as the Crosier or the bell; that it was preserved in a case or shrine in the early part of the fourteenth century, we learn from Boece's account of the miracle which took place in the tent of King Robert the Bruce on the night before the Battle of Bannockburn. There can be no doubt that the relic of St. Fillan, which was at Bannockburn, was not the Crosier or the Bell, but the Mayne or enshrined arm and hand which used to give the miraculous light. . . . The Meser is not known, except from the single notice of its Dewar in 1468." *Pro. Soc. Antiq. Scot.*, Vol. XXIII., pp. 115-118.



teristics of Celtic art ; but its central principle and leading features, which were essentially decoration and ornamentation, have now been sufficiently explicated for the purpose and scale of this history.

Turning to the earliest fragments of literature still preserved, it appears that they issued from Iona. Owing to the position and fame of St. Columba in his own lifetime, some of his many disciples would be ready to record those events of his life calculated to interest his followers and enhance the veneration of his memory. Cumme, son of Ernan, was the seventh Abbot of Iona, and succeeded to the abbacy in 657 ; and according to the standard of his time, he was a learned and accomplished man. One of his letters in Latin touching the Easter festival is extant ; and he also composed in Latin a life of St. Columba. His life of Columba consists of twenty-seven short chapters, which chiefly deal with the miracles performed by Columba or on his account. Several manuscripts of Cumme's life of Columba exist, and it has been repeatedly printed.<sup>99</sup> After presiding over the community of Iona, and the Columban Church for twelve years, he died in 669.

Adamnan, son of Ronan, was born in Ireland in the year 624 ; and, in virtue of his birth, claimed kin to St. Columba. On the death of Failbhe in 679, he was elected as ninth Abbot of Iona. Adamnan was the most accomplished of all St. Columba's successors. He took an active part in all matters relating to the Church in his time. He went to Ireland in 697, where he was engaged in efforts to effect social reform among the people and the clergy ; and probably it was at this time, from 697 till his return to Iona in 704, that he wrote his Life of Columba. His information for this work was derived partly from written and partly from oral sources. His written materials were Cumme's Life of St. Columba which he cites by name ; he had also another memoir, to which he refers thus—"Hanc prædictam visionem, non solum, paginis inscriptam reperimus, sed et ab aliquibus expertis senioribus, quibus ipse Virginius retulerat, sine ullo didicimus cunctamine." He also refers to poems on the praises of Columba written in the native language, "*Scoticæ linguæ*" (Gaelic) ; and other metrical compositions by St. Mura, who died about 645.<sup>100</sup> The nar-

<sup>99</sup> Mabillon's *Acta Sanct. Bened.*, i. 242, from the Compeigne MS. ; in *Acta Sanctorum*, ii. 180, mainly from the Belfort MS ; and by Pinkerton in *Vita Sanctorum Scotiæ*.

<sup>100</sup> Reeves' *Adamnan*, pp. 17, 237, 318, and Pref. pp. 5-7. Among the poems in praise of Columba written in the native tongue, the celebrated *Amhra* was ascribed to St. Baithene Mor, a contemporary of Columba.

rative of Cummene was transferred almost verbatim, by Adamnan, into his own Life of Columba. The oral source of information available to Adamnan would have consisted of the recollections and reminiscences about Columba then current among his brethren in Iona and in Ireland. Thus he produced a work in complete harmony with the feeling, the spirit, and the thought of his age. He returned from Ireland to Iona in the summer of 704, and died on the 23rd of September, the same year, at the advanced age of seventy-eight.<sup>101</sup>

Adamnan's Life of Columba is somewhat prolix, and its main themes throughout are associated with supposed miraculous and supernatural events and circumstances. Still, incidentally it contains a considerable number of facts of more or less historic value. His account of the last scenes of St. Columba's life is natural, beautiful, and pathetic. Seeing that the work was written in the latter years of the seventh century or the opening years of the eighth, it has a special value, as being the earliest writing of any length directly connected with Scotland. He was the author of a tract entitled *De Locis Sanctis*, which is written in a more flowing style than his Life of Columba. Besides these two works, Adamnan is said to have written a Life of St. Patrick; Poems; and some other works. These have not, however, been authoritatively recognised as his productions.

From the number of manuscripts of his life of St. Columba which were spread over the Continent, it appears that the work was highly esteemed, and a considerable number of his writings still exist in various libraries. His Life of Columba has also often been printed.<sup>102</sup> Adamnan was held in great respect while living, and after his death his memory was widely venerated both in Ireland and in Scotland. A number of churches were dedicated to St. Adamnan in Ireland,

<sup>101</sup> Reeves' *Adamnan*, App. to Pref. pp. 53, 56, 57.

<sup>102</sup> *Ibid.*, Pref., pp. 8-10, 12-30. Adamnan's *Life of Columba* was first printed by Canisiu in his *Antiquæ Lectiones*, from a MS. preserved in the monastery of Windberg, in Bavaria, Vol. V., pp. 559-621, 1604. This was reprinted in 1624, by Thomas Messingham, an Irish priest, who added titles to the chapters, and a few marginal glosses, together with testimonies of Adamnan and of St. Columba. In 1647, Colgan published it in his great work entitled, *Triadis Thaumaturgæ, seu Divorum Patricii Columbe et Brigidæ, trium Feberis et Majoris Scotiæ seu Hiberniæ sanctorum Insulæ, communium Patronorum Acta, etc.* It is inserted in the Bollandists' *Acta Sanctorum*; in Pinkerton's *Vitæ Antiquæ Sanctorum, etc.*; and Dr. Reeves' very valuable edition, so often referred to in the preceding pages, contains a vast number of facts and interesting particulars,

and in Scotland nine or ten churches were dedicated to his name, among which were Forglen, in the beautiful valley of the Deveron, lying in the lower division of Banffshire; Dalmeny, a parish in Linlithgow, and in Inchkeith; and several wells were called after him. His shrine and relics became objects of extreme veneration, and were latterly preserved in his church of Skreen in Ireland.

A few fragments of writings in Latin have been preserved: such as the Pictish Chronicle, which was compiled about the close of the tenth century, probably by the scribe or *ferleiginn* of the monastery of Brechin. This short chronicle has been preserved in Latin, which, however, seems to have been translated from a Gaelic original, as Celtic words here and there were left untranslated. It is known that a number of ancient writings existed, which have perished amid the internal and external struggles which subsequently ensued. As already indicated, references to writings in the native language of the people occur, which appear to have consisted of legends and lives of the saints.<sup>103</sup>

The earliest specimen of Gaelic writing on parchment in Scotland occurs in the Book of Deer, a MS. which originally belonged to one of St. Columba's monasteries in Buchan, Aberdeenshire. This book contains portions of the Gospels of St. Matthew, St. Mark, and St. Luke, and the whole of the Gospel of St. John, and the Apostles' Creed, all in Latin. It is written in one uniform hand, and in a character which has been assigned by the most skilful experts to the ninth century. After the Apostles' Creed, the scribe who wrote the Gospels adds a colophon in Gaelic which has been translated thus: "Be it on the conscience of every one in whom shall be for grace the booklet with splendour; that he give a blessing on the soul of the wretch who wrote it."<sup>104</sup> For two centuries it appears that nothing was added to the original book. The fragment of an office for the visitation of the sick is in a different and a later handwriting. The memoranda written in Gaelic on the blank pages and the margins of the original manuscript belong to a period not later than the eleventh century and the early part of the twelfth. Thus, these memoranda afford a specimen of the written Celtic language of the period, which has been found in its main features to resemble the written Irish of the same age. Although this is the only example of vernacular

<sup>103</sup> *Chronicles*, Pref. pp. 19-23; *Register of the Priory of St. Andrews*; *Pro. Soc. Antig. Scot.*, Vol. III., p. 264.

<sup>104</sup> *Book of Deer*, p. 89.

Celtic now known to exist, still we cannot infer that this was all that Scotland had produced down to the twelfth century ; in fact there can be little doubt that in many of the other monasteries similar writings in the vernacular were in use from an early period.

The *ferleiginn* or man of learning was a prominent official in the monasteries of Ireland, and of those of the west and north-eastern regions of Scotland. The function of this official at first seems to have been mainly limited to the practice and teaching of penmanship ; but from about the middle of the tenth century instruction in literature was added to his functions : so that *ferleiginn* lecturer, meant literally man of learning. This official appears as a member of the monastic community at Turriff, which stands on a fine commanding site near the river Deveron at the northern extremity of Aberdeenshire. It was thus one of the schools of the period. In some other parts of Scotland, the same functionary appears under the name of Scolofthes—Scolocs ; in somewhat later times they appear in connection with several churches which belonged to St. Andrews. Touching the range of the learning of these functionaries there is little definite information.<sup>105</sup>

The monasteries of Scotland, however, considered as schools in relation to the people, were not very efficient. Although in certain directions they had an educational influence upon the people which produced results, such as the introduction of letters and a standard of written Gaelic amongst themselves ; and what education existed was supplied through the monasteries and the monks ; but it does not appear that this written Gaelic was widely or generally taught to the young and rising generations during the period in question. The far greater part of the people were not taught to read at all, and whatever they received as education was imparted orally and retained through the memory. In connection with religious worship and the service of the church the people were fully informed about the lives, the works, and the miracles of the saints, and in this relation their religion still resembled the ancient worship of ancestors. But in relation to industry and art, the teaching and the example of the monastic communities had a marked and beneficial educational influence upon the people.

Legends, stories, and rhymes were common among the people.

<sup>105</sup> Reeves' *Adamnan*, pp. 365, 62-63 ; *Miscellany of the Old Spalding Club*, Vol. V., Pref. pp. 56-67, *et seq.* ; *Book of Deer*, Pref. pp. 185-189.



When writing was little practised and printing unknown, people depended far more upon their memories, and in these circumstances the retention of a few thousands of lines would imply no great stretch of memory. Homer was simply a reciter; he never wrote the immortal work which has been stamped with his name for more than two thousand years. As thought must precede articulate speech and written composition and connected expression in the natural order of development, so oral composition in rhyme and tale have everywhere preceded the forms of written composition. As a matter of fact, there have been several instances in Scotland, in quite recent times, of men who could neither read nor write, and yet they have composed many songs and poems of recognised merit, which, of course, were written down from their diction. Indeed, the greater part of the ballad literature of Scotland has been collected by a somewhat similar process, and also to a large extent the tales and ballad literature of other nations. We may then conclude, that the people of this period had an ample store of oral rhymes, tales, and traditions—the accumulated accretions of the preceding ages—which still continue to be orally learned and transmitted from generation to generation, with such additional variations as imagination and circumstances suggested to their minds.

At the close of the eleventh century the Celtic race possessed the whole of Scotland except the Lothians, in the south-east, which was occupied by the Angles. Caithness in the north, the Orkney and Shetland Islands, and the Western Islands, which had been colonised by the Norsemen. But the original heat of the Norse movement had begun to cool, and the Celtic race retained their own language in the Western Isles: a considerable number of Norse words, however, occur in these islands. Throughout the regions occupied by the Celtic race there were, no doubt, dialectical variations in the speech of the people in different districts, but they all essentially belonged to one language. In short, the people from the Firth of Forth to Caithness were still essentially of the same race as the tribes who contended with the Roman Legions at Mons Grampius in the year 86 A.D.

I. In conclusion the main points of the seven preceding sections of this Introduction may be recapitulated. New historic conditions arose through the Roman invasion, and their occupation of a portion of the country on the south of the Firths of Forth and Clyde. But the tribes on the north side of the Roman barrier remained unconquered and independent, and the Roman occupation produced no permanent



impression upon them. After the departure of the Romans from the island, other migrations and external invasions by different races ensued which created new historic conditions. This resulted in a series of conflicts amongst the different races and tribes which was continued for several centuries.

1. But during this period a new moral power, Christianity, was gradually introduced into the territories of the contending races and tribes, and it affected their subsequent movements in various directions. The new religion tended to draw the tribes more together, and in the direction of greater unity of action and organisation.

2. The natural result of the internal struggle of the different tribes appeared in the foundation of the historic monarchy in 844. The centre and chief seat of the monarchy was on the banks of the Tay at Scone. The gradual extension of the kingdom outward from its centre, and its development, and the affinities and elements of the future nationality, were noted and explained.

II. The social state of the people from the seventh century to the end of the eleventh was treated in detail. After some remarks on the more primitive forms of tribal organisation, and the relation of the tribe to the land, which in very early stages of society was the common property of the tribe alone, the causes which tended to change and modify this condition of society, were then explained. It was shown how individual rights in land had arisen, the tribal organisation in relation to the land, the rights of the heads of tribes to impose taxes on land, and the right of the king to impose a national tax upon all land within his kingdom. The state of agriculture, the herds of cattle, the food, the clothing, and the dwellings of the people, and the origin of markets, were noticed. The custom of paying for all classes of crime, by a scale of fines fixed according to the rank of the injured party, was noticed and explained. Social morality, the relations of the different sexes, customs and forms associated with the institution of marriage, and the efforts of the Church to place marriage on a proper footing, were noticed ; the state of the Church, the observance of the Lord's day, and the efforts of Queen Margaret to reform abuses and minister to the poor.

3. Early architecture was historically treated in relation to the civilisation of the people. The local area in which the remains of the Brochs are found, was pointed out, the structure and characteristics of these singularly peculiar erections were then described, their origin and purpose was touched on, and it was observed that they exhibited

a type of structure which was confined to Scotland alone. The traces of the daily life of the occupiers of the Brochs, their culture and civilisation as disclosed by the tools, implements, ornaments, articles, and remains found in and around these structures, were considered ; and it was inferred, on sufficient evidence, that they cultivated the land, grew grain, and possessed herds of cattle and sheep, practised the arts of spinning and weaving, and made pottery. From this and other evidence and associated circumstances, it was concluded that the occupiers of the Brochs were the people of the soil, who had been long settled on it, and that they were not a horde who had suddenly effected a lodgment in a hostile country.

4. The early types of church architecture were briefly treated. It was indicated that these types passed through a series of changes and became merged in the architecture of the twelfth century. The round towers of Brechin and Abernethy were described, and their original purpose indicated.

5. The early sculptured stone monuments were treated at some length. Beginning with the undressed stones which present the peculiar symbols incised on them, the local area in which they occur, was pointed out ; and it was observed that there was no Christian cross on any of them. From many associated circumstances and other considerations it was inferred that this class of stone monuments existed prior to the introduction of Christianity. After a brief description of some of the symbols, many of the scenes and articles depicted on the elaborate class of the sculptured monuments were treated historically in relation to the life of the people, the weapons, the dress, and the civilisation of the period. The art of the monuments was then briefly handled, and its relation to the art of the illuminated manuscripts, which attained its highest development in Ireland. The ethnic implication associated with the monuments was indicated, and a reference to Ogham and Runic inscriptions on monuments concluded the section.

6. The characteristics of early Celtic art, as exhibited in decorative metal work, was touched on, and the aim and principle of this art shown to consist in elaborate decoration. The literature of the period was then treated, the educational relation of the monasteries to the people, and the oral tales and rhymes current among them. Viewing the condition of the kingdom at the close of the eleventh century, it had reached a stage of political organisation and development which appeared in every way quite vigorous and capable of

further progress. The diverse elements of race within the kingdom had long been slowly amalgamating, and barring foreign interference and encroachment these elements only required more time to develop into a complete nationality. The social organisation of the people of this kingdom, their culture, art, and civilisation, had attained to a stage of progress at least equal to anything as yet achieved by the people in the southern division of the island.

## CHAPTER II.

*Critical Estimate of the Result of Norman Feudalism on the Civilisation of Scotland.*

THIS important question demands a careful examination, inasmuch as it has usually been treated from one exclusive standpoint. It has been repeatedly stated in the preceding pages that the Angles or Saxons had occupied a portion of the country in the south-east since the middle of the sixth century, and that they had partly mingled with the Celtic inhabitants in that region. But it has been often averred that from about the beginning of the twelfth century onward into the thirteenth, there was a great influx of Normans and Saxons from England into Scotland. The real historic question is,—how far and in what form was the subsequent civilisation of Scotland indebted to this latter class of settlers? Several historians have boldly asserted that Scotland owes all her civilisation to these Norman and Saxon nobles, adding by way of evidence, that the Celts never showed any disposition to follow an industrious occupation or to congregate in towns; but that these Norman and Saxon nobles were men of exalted virtue and marked ability, and therefore the veritable originators of Scottish civilisation.<sup>1</sup> Before accepting this view, let us test its historic truth.

Seeing that the Saxons had occupied an important and extensive district of Scotland for upwards of four centuries, whatever customs and essential characteristics of political and social organisation which specially belonged to them, must have been in full operation in the south-east of Scotland centuries before the Norman conquest. Thus, at the outset, the real question becomes limited to the Normans alone, and without entering into unnecessary details, I will present the

<sup>1</sup> *Chalmers' Caledonia*, Vol. I., pp. 460, 495-614, 775; *Burton's History of Scotland*, Vol. II., pp. 85, 86; *C. Innes' Sketches of Early Scottish History*, pp. 10, 11; *Orig. Paroch. Scot.*, Vol. I., Pref. p. 27; *Register Episcop. Mor.*, Pref., pp. 9, 10.

requisite historic facts and the real issue, in so far as Scotland is concerned.

The Normans were originally of the same race as the people noticed in the preceding pages under the name of Norsemen. Commencing their plundering raids about the end of the eighth century, they first seized the Shetland islands and then the Orkneys. Afterwards hordes of them proceeded to the Western Islands, plundered and destroyed the monastery of Iona, slew the monks and the inhabitants of the island. They occupied themselves in work of this description for many years, infesting and desolating the coasts of Scotland. Afterwards they effected a lodgment in Caithness and in other parts of the north, and in the Western Isles. Ultimately, however, except in the Shetland and Orkney Islands, and a portion of Caithness, they have left comparatively few traces of their civilisation on the mainland of Scotland, save the traditions associated with their heathen customs and their extreme cruelty.

Many other hordes swarmed off from the original hives in Scandinavia, which proceeded on plundering expeditions in different directions and to different countries, where they engaged in work similar to that indicated in the above paragraph. They made many raids into Gaul (France), plundered the country, and with ruthless cruelty slew all the people who offered any resistance to them. At first entering the mouths of the rivers with their vessels, they landed and spread devastation and suffering on every hand. Then, encouraged by their success and prompted by their savage propensities, they extended the range of their operations. They entered the mouth of the Seine with their vessels, proceeded inland and ravished the country on every side, and constantly threatened Paris. Under the leadership of their great hero Rollo, their raids and devastations had become so fierce and unbearable that King Charles of France granted to Rollo by treaty a tract of territory to be held as a feudal fief. After some natural demur on the part of the conquering hero, at last Rollo rendered due homage to his Lord Superior by kissing King Charles' great toe. Rollo then gave the name of Normandy to the territory thus ceded to him, and he became the first Duke of Normandy.

Concerning the internal condition of this province after Rollo obtained possession of it, there is very little reliable information. It is said that the land was sold by auction amongst Rollo's followers; and no doubt the Normans soon became the only land-owners. Rollo added the district of Bessin to his province, and in 927 he resigned



the government in favour of his son. Five years later, the hero who founded the Dukedom of Normandy, expired at an advanced age. His son, who succeeded, was called William Longsword, but he was not a strong ruler. He was basely assassinated in December 942, on the Flemish side of the river Somme. Longsword was succeeded by his natural son, Richard the Fearless, his mother being Esprota, a Breton woman of great attractions, but of unknown lineage. His enemies made the fact of his illegitimate birth a ground for disputing his right of inheritance, and Richard was soon in the midst of trying difficulties. He was sometimes hard pressed in his struggles with the neighbouring princes, but he ultimately succeeded in holding his ground. Richard's wife Emma had no children, but he had natural children by Gnenora, a woman of unknown lineage; her children were declared illegitimate by the Church, and Richard then married her according to the form of the Church, and thus his children became legitimised. Richard the Fearless died in 996, and was succeeded by his son, who was called Richard the Good.

Richard the Good was not long seated on the ducal throne when he had to face a threatening movement of the peasants under his sway. This class mainly consisted of the ancient Gaulish or Celtic inhabitants, who had since the fall of the Roman Empire, and the successive invasions of the Franks and the Normans, suffered grievous oppression. The Normans had begun in earnest to assume and to exercise all the functions of a military and ruling class. They had begun to erect baronial castles, and the swarms of illegitimate children of the successive Dukes, which required to be provided with lands, continually increased the number of petty and despotic lords. At last their oppression of the poor peasantry passed the limits of human endurance, and the sons of toil then thought of trying issues with their ruthless oppressors. As might have been expected, only an imperfect notice of the rising has been preserved, from which it appears that the grievances of the peasants were these: "The nobles do us naught but ill, and we gain no profit from our labours. Our days are spent in toil and fatigue, our cattle and horses are seized for dues and services, and our goods wasted by continual suits. We have no safety against our lords, and no oath is binding on them. Why should we not shake off all this evil? Are we not men as they? Dare we to do and dare again; a good heart is all we want. Let us then unite, and if they should make war upon us, have we not thirty or forty hardy peasants ready to fight with club and flail to each knight? Let

us only learn to resist, and we shall be free to cut our own firewood, to fish and to hunt, and to do our will, in river, field, and wood." They resolved to form a commune to discuss their common wrongs and the means of resistance.<sup>2</sup> As far as can be ascertained from imperfect indications and circumstances, it seems that the peasants obtained some slight relief.

Under the government of Richard the Good the Norman power increased, and he died in 1026. He was succeeded by his son Richard; but he soon became involved in a dispute with his brother Robert, about the latter's share of the Dukedom, and the possession of the castle of Falaise. At last they came to an agreement and met on friendly terms, but immediately after Richard died. It was reported that his brother Robert had poisoned him;<sup>3</sup> be that as it may, Robert then mounted the ducal throne. He became known as Robert the "Magnificent." One day when looking around him from the cliffs of Falaise Robert observed an exceedingly attractive young woman washing clothes in the neighbouring brook, and he fixed his eyes and his heart on her. She was Harlotta, daughter of a tanner of Falaise, and in due time she gave birth to William the Conqueror. Of course he was an illegitimate child, and was sometimes called "the bastard;" but no one is accountable for his own birth, as no one was ever consulted on that point. It may, however, be observed that two of William's lineal progenitors were the sons of women of humble and unknown lineage; and it is more than probable that these two women, and also the graceful and attractive Harlotta herself, were all of Celtic descent. It therefore follows according to the law of natural descent, and the well known law of sexual selection, that William the Conqueror was three-fourths Celtic and only one fourth Norman. This phenomena, if carefully examined, might perhaps explain why the Normans so soon disappeared from the world as a distinct race.

Robert the Magnificent attempted to invade England when the great Canute was on the throne, but he completely failed. He went on a pilgrimage to the Holy Land, and died when returning home in 1035. His natural son, William, then ascended the ducal throne; but the nobles of Normandy rebelled against him, and for many years he only held a wavering and perilous sway. At last, with the assistance of his Lord Superior, Henry I. of France, the conspiracy of his nobles was overthrown. But then the men of Alencon revolted,

<sup>2</sup> *Roman de ea Rose.*

<sup>3</sup> Crowe's *History of France*, Vol. I. pp., 87, 88. 1858.

and William marched towards their town to subdue them : as he approached, they spread skins over the walls and beat upon them, shouting, "Hides for the tanner, plenty of work for the tanner." This insult stung William to the core, and he swore by "the splendour of God, that he would deal with them as with a tree whose branches were cut off with a pollarding axe." The town shortly after fell, and William then ordered that thirty-two of the citizens should be brought before him ; and by his orders their hands and feet were cut off, and the dismembered limbs were thrown over the castle walls as emblems of his vengeance. The garrison were terrified, craved mercy, and at once surrendered.<sup>4</sup>

The character of the feudal government of Normandy may be indicated thus :—The Duke assumed all the functions of a King and ruled with the advice of a few of his nobles selected by himself. The nobles in possession of land were under feudal obligations to him, which they took every opportunity to cast off. Their rank was derived partly from Norse descent, and partly from relations with the ducal family ; and thus they were kept in a sort of subordination by self-interest and by the strong arm of the Duke. It was mainly the energy and the decision of the Duke which kept the province from dismemberment ; the attempts of his nobles to obtain independence led to continual quarrels, which were only checked by ruthless bloodshed. There was also the wild love of excitement inseparably associated with the life of idle and uncultured men, which often manifested itself in deeds and scenes of the utmost ferocity, and continually issuing in outbursts of anarchy at home, or in expeditions to foreign lands in search of plunder and new excitement. The people who lived and toiled under this military aristocracy were kept in absolute dependence on their lords, though possibly some of them may have still retained a faint remembrance of their former freedom.<sup>5</sup>

War was the fundamental principle of Norman Feudalism and the essential condition of Norman organisation and life. William the Conqueror understood this very well, and looked out for a field to give it scope. He had fixed his eye on England long before he actually invaded it ; and he prepared for the grand effort with a caution and deliberation, and an astuteness and craft which were

<sup>4</sup> Crowe's *History of France*, Vol. I., p. 91.

<sup>5</sup> Freeman's *Norman Conquest*, Vol. V., p. 482 ; *The Normans in Europe*, by A. H. Johnson, M.A., pp. 103, 104. 1884.

truly amazing. He either obtained a promise from Edward the Confessor, his cousin, that he should succeed to the English throne on Edward's death, or he pretended that he received it; and in 1064, an accident caused by the weather enabled William to meet Harold under the most favourable circumstances for himself; and it was reported that Harold became his man, promised to marry his daughter, to place Dover in his hands, and to support his claim to the English throne on Edward's death. Edward died in 1066, and the Witan elected Harold King of England. William was enjoying himself hunting in the forest of Rouen when tidings of Harold's election reached him. He then affected the utmost astonishment, and at once vehemently denounced Harold as a perjured man, planned a very plausible claim for himself, and appealed to Christendom. He was especially careful to obtain the sanction of the Pope; and he informed his holiness that he was undertaking a great missionary work, "which should purify the corrupted Anglo-Saxon State and Church, and bring England more closely under the sway of Rome." All the turbulent Normans, needy and landless nobles, petty knights and adventurers, hastened to join his army, which consisted of a motley assemblage.<sup>6</sup>

He defeated and slew Harold the English king, and if there had been no more resistance, then in that case, the Conqueror might have been merciful, but he never hesitated to sacrifice any number of human lives if they stood between him and his end; possibly he would have slain every man in England rather than relinquish his hold of the country. He gave some examples of the length to which he was prepared to go, as when he reduced the whole of the territory between the Tees and the Humber to a waste, and it remained for many years untilled. Toward the close of his career difficulties and failures thickened around him. In 1079 his own son, Robert, fought against him, and wounded and unhorsed his father. In 1087 William engaged in a war with the King of France, and after burning the town of Hantes he was riding over the ruins when his horse stumbled and he fell fatally injured. He was carried to Rouen, and declared his wishes before he expired. To his eldest son, Robert, Normandy was given; William Rufus, his second son, he named as his successor

<sup>6</sup> Few of the higher nobles of Europe joined William's invading army; indeed, it has been stated that a number of his own Norman nobles did not join his army, but remained in Normandy.



to the throne of England ; and to Henry, his third son, he left 5,000 pounds of silver. Whenever his sons heard what their respective shares were, they all immediately departed before their father expired—Robert to Normandy, Rufus to England, and Henry to grasp his treasure. More inhumane and disgraceful conduct of sons toward their dying father it would be difficult to conceive. The remains of the Conqueror were stripped and disgracefully dispoiled, and hurried without decent burial into the grave, while the owner of the soil exacted his price for it before he allowed the remains to be interred.<sup>7</sup> Thus ended the career of William the Conqueror, the greatest of all the Normans. His intellectual powers were excellent, his natural sagacity and strength of will were striking features of his character ; he had also the faculty of commanding and of organising ; but morally and humanely he stood on an extremely low level. Indeed, this lack of humanity was the black and the degrading characteristic of the Normans from the beginning to the close of their career in Europe.

It has often been stated, and is still occasionally repeated, that the Normans had attained to a higher stage of civilisation than the people whom they conquered and subjugated in England. There is no difficulty in understanding how this view originated, or how it continued to be favourably received and strongly maintained. The first and most important result of the Conquest was the transference of the ownership of the greater part of the land of England to the Normans, who were a military and ruling aristocracy. Thus they almost at once became the absolute masters of the people, assumed the functions of government, and constantly endeavoured to maintain their position as the hereditary owners of the land, the hereditary legislators, and rulers of the people. The Normans introduced the claim of the divine right of kings, and exercised it themselves to an enormous extent in every direction. They covered England with castles, not for the protection of the people and their property, as in former times, but to enable each individual noble to oppress the people in his own district with impunity. They depopulated large tracts of the country to make forests for mere sport to themselves.

I have stated in preceding pages that war was the fundamental principle of Norman feudalism, and that morally and humanely the

<sup>7</sup> *Saxon Chronicle*, Vol. II., pp. 183, 184 ; *The Normans in Europe*, by A. H. Johnson, pp. 155, 180.



Conqueror himself stood on an extremely low level ; the circumstantial evidence of this will now be adduced. What are the chief distinctions between civilised and uncivilised life ? 1, So far as yet ascertained the pursuit and slaughter of wild animals is one of the most primitive and characteristic traits of savage life ; 2, Extreme cruelty and a disregard of human life are features usually associated with tribes living in a savage state ; 3, An utter disregard of the rights and of the lives of other men, whether this be exhibited by the head of a dukedom or the aristocracy under him, or by both acting together, must afford unimpeachable evidence that such a community is still in a low stage of civilisation.

Let us carefully examine if any of the above characteristics of life befit William the Conqueror and his Norman aristocracy as they exhibited themselves in Normandy and in England in the eleventh century. The Conqueror himself was so destitute of human culture that when he was not engaged in war or in scheming the overthrow of his enemies, no other form of amusement was brutal enough to satisfy his rude propensities but the pursuit and slaughter of wild animals. After he had subdued the people of England, and had leisure to enjoy himself, he then discovered that the natural and existing ranges were not sufficient for his favourite amusement. What was he to do ? Did the Conqueror think that the rights and the homes of the people of England should be considered in preference to the gratification of his own extreme passion for sport ? No, he never did. On the contrary, he ordered that in Hampshire thirty-six parishes should be destroyed, thirty-six churches pulled down, the whole of the inhabitants evicted from their homes, and the country utterly depopulated for thirty miles round, and all this was merely to make space for the Conqueror's New Forest, in which he might satisfy his appetite for sport in full measure. The Conqueror's son, King Rufus, greatly increased the forests, and in the early part of the twelfth century there were sixty-seven forests, thirty chases, and seven hundred and eighty-one parks, which were full of wild animals, specially and carefully preserved, and to be pursued and slaughtered only by the Normans.

It is unnecessary to detail the many acts of ruthless cruelty inflicted under the direction of the Conqueror himself. The cutting off of the hands and feet of thirty-two men for a trivial offence, a mere joke, affords a characteristic example of his cold and revengeful nature. It is recorded that, on his death-bed, he said—"No tongue

can tell the deeds of wickedness I have perpetrated in my weary pilgrimage of toil and care." He was unquestionably an irresponsible and cruel despot, and in the words of a contemporary record I close my remarks on him :—"Alas ! that any man should be so proud, so raise himself up, and account himself above all men ! May the Almighty God show mercy to his soul, and grant him forgiveness of his sins."<sup>8</sup>

In the preceding pages the internal government of Normandy under the Normans was twice referred to, and it appeared that the people under this military aristocracy were sorely afflicted by the continual recurrence of internal war and bloodshed among the local nobles. Indeed, war was the breath of life and the bread of life to the Normans, insomuch that they could not exist anywhere without it. They understood the requisite conditions of their own existence very well ; and if at any time there was no war for them, then in that case, they had ample and carefully prepared substitutes in their great forests and preserves, and to these they returned, like the primitive savages, to the pursuit and slaughter of wild animals.

Thus it inevitably appears on every side that the Norman aristocracy were morally and socially in a comparatively low stage of culture and civilisation. That the ruder propensities and the lower passions were still rampant amongst them to an enormous degree, that they had not yet learned to respect the very rudiments of the rights of mankind, and consequently they were utterly callous to the people under them. They had no adequate conception of justice whatever, apart from the special interest of their own class, nor of truth, "for no oath was binding on them." Hence Norman feudalism instead of being an advanced stage of society, shows an almost total absence of the fundamental and essential elements upon which progress and civilisation proceed.

Still it is quite true that the Norman Conquest produced great effects upon the English people, and in many directions influenced the subsequent history and progress of England. This, however, was not a consequence of any superiority of Norman civilisation at the time of the Conquest, but the very reverse. Very briefly the historic and social phenomena may be indicated thus :—The Norman Conquest created new historic conditions and relations in Britain.

<sup>8</sup> *Saxon Chronicle*, Vol. II., pp. 188-190 ; Freeman's *History of the Norman Conquest*, Vol. IV., toward the end ; Vol. V., pp. 6-52, Note C., pp. 747-759.

But owing to the uncivilised and ruthless character of the chief agents engaged in the military and the political processes of the creation of these new historic conditions, an enormous amount of cruel suffering was inflicted upon the great body of the English people. After two or three generations, which were strikingly marked by fierce outbursts of internal anarchy and bloodshed, and excessive oppression of the people, the new historic conditions, slightly modified, assumed what may be called their normal equilibrium. These new conditions were in some directions favourable to progress and civilisation, and in other directions an opposite tendency was often manifested. Considered externally, the Conquest created new historic relations between England and France, and it would require a long and careful discussion to determine whether these new relations were favourable or unfavourable to the internal development and the civilisation of England. This historic phase of the Conquest is of great interest, and much could be said on both sides of the subject. Considered internally, I can only notice one or two points which were permanent in their operation. The Conqueror introduced arrangements admirably calculated to strengthen the hands of the King. His aim was to limit the power of the feudal nobles and render them dependent upon the Crown; and in this he succeeded. He concentrated the ends of the threads of the local powers in the supreme power of the King; and the Kings of England soon became strong enough to hold the feudal nobles well under the control of the executive. Thus England was saved from many of the worst features of Norman Feudalism; although in succeeding ages the great power concentrated in the hands of the Kings of England, was sometimes used for mischievous purposes. Touching the effect of the Conquest on the body of the English people, its tendency was no doubt oppressive for many generations. "That the result of the Norman Conquest was the social thrusting down of the great mass of Englishmen, there can be no doubt."<sup>9</sup> In fact, they were partly thrust down by the transference of the land to the Norman aristocracy, and the introduction of feudal forms of land tenure.

But it is a singular historic phenomenon that Norman Feudalism, with its worst features, was introduced into Scotland long after William the Conqueror was in his grave. This manifested itself in anarchical outbursts of internal war among the nobles of Scotland,

<sup>9</sup> Freeman's *History of the Norman Conquest*, Vol. V., p. 476.

similar to those which had occurred among the Norman nobles in Normandy in the eleventh century. Norman Feudalism was not forced upon Scotland by invasion or open conquest ; it was introduced by the Scottish kings, partly owing to personal associations and circumstances, and partly owing to a misapprehension of the real nature and tendency of the system, which for several generations they fostered. The ultimate result of their policy was this :—1, The continuity of the progressive movement of the kingdom was in some districts dislocated by the introduction of Norman Feudalism. 2, Then the system ran its natural course, and the nobles reduced the power of the kings almost to a nonentity, rendered the functions of the executive ineffective, and sometimes totally inoperative. They frequently rebelled against the kings, and involved the kingdom in all the miseries of civil war. They often fought among themselves and created disorder and anarchy in endless forms, frustrated the development of every branch of peaceful industry, and inflicted untold suffering upon the people. Thus the development of the natural resources of the country, and the progress and the civilisation of the nation were greatly retarded for several centuries.

## CHAPTER III.

*Narrative—Introduction of Feudalism.*

RESUMING the narrative, on the death of Edgar in 1107, his brother Alexander succeeded to the throne, while his younger brother, David, claimed the districts on the south of the Firths of Forth and Clyde. This arrangement had been suggested by Edgar before his death, but Alexander at first objected to it; after some time, however, he agreed that his brother should rule these southern districts under the title of Earl David. Shortly after his accession the King had to face a rising of the men of Moray, which he boldly met and suppressed.

In the first year of his reign, Alexander appointed Turgot to the See of St. Andrews: he was a monk of Durham, and had been confessor to Queen Margaret, the King's mother. A serious difficulty arose, the Archbishop of York claimed a canonical right to perform the ceremony of consecration; but the Scotch clergy and the King maintained that he had no authority over St. Andrews. At last a compromise was effected, leaving the disputed point unsettled; and in 1109, Turgot was consecrated by the Archbishop of York. The new bishop did not find himself happy in the See of St. Andrews. Difficulties soon arose between him and the King; and at last the bishop threatened to go to Rome and settle all matters of dispute, but he died in 1115.<sup>1</sup>

The bishopric remained five years vacant, but in 1120 the King nominated Eadmer, a monk of Canterbury, who was elected bishop by the Scotch clergy and the people. The point of consecration was revived, but this time the Archbishop of Canterbury claimed the right to perform the ceremony. There was for long a great rivalry between the Archbishops of York and Canterbury touching the limits of their respective canonical authority, and the point associated with the dignity of presidency. Eadmer himself thought that the rights of

<sup>1</sup> Dr. Grub's *Eccles. Hist. Scot.*, Vol. I., pp. 206-7.



his mother church extended over all the British Islands. The King rejected this view, and declined to listen to it. The monk was as determined as the King, and at last he declared, "Not for all Scotland will I renounce being a monk of Canterbury." He then handed back the ring to the King, laid the staff on the altar, and left St. Andrews and returned to his mother church. Shortly afterwards Eadmer showed much anxiety to return to the See of St. Andrews, and offered to yield to the King, but Alexander declined to receive him. About the end of the year 1123 Alexander appointed Robert, the prior of the monastery of Scone, to the See of St. Andrews, but the King died before he was consecrated. In 1128, the ceremony of consecration was performed by the Archbishop of York, and there was an express condition which reserved the rights of both Churches. A direct claim of feudal lordship over Scotland had not yet arisen, but it is obvious that if the dependence of the Scotch Church on the English Church could have been established, it would soon have affected the independence of the kingdom.<sup>2</sup>

Alexander I. founded the monastery of Scone, and restored to the Church of St. Andrews the lands called the Boars Chase. He died in 1124, and was succeeded by his brother, David I., who, under the title of Earl, had been ruling the districts on the south of the Forth. The kingdom was again placed under one head, and the era of the introduction of Norman Feudalism then commenced.

A large part of Scotland as yet hung loosely on the central authority; the country beyond the Spey was nominally under the Scottish Crown, and Galloway was more like a tributary province than an incorporated part of the kingdom. David I. had perhaps come into contact with some of the associates of the Conqueror. In his youth he frequented the Court of the Conqueror's sons in England, and he appears to have associated much with the Norman nobles. These nobles were always on the outlook for more land and power, and doubtless with an eye to business some day, they had made themselves very agreeable companions for the young Scottish prince. The Norman nobles became his special favourites; and when only Earl, he seems to have surrounded himself with a company of them, and began to grant them lands by charter. He had resolved to introduce

<sup>2</sup> *Chronicles*, pp. 90, 91. Eadmer, though a strict monk, was a scholar, and wrote a history of his own time in clear Latin, and other works. He is supposed to have died at Canterbury in 1124.

Feudalism and a Norman Aristocracy, so far as it was in his power. But there can be no doubt that David I. misapprehended the real nature and inevitable tendency of Feudalism; as his chief object must have been to strengthen the Crown, which shows clearly that he had misunderstood it. Possibly David I. may have imagined that he was imitating the Conqueror on a small scale, but then he had not the practical knowledge and the experience of the system which the great Norman possessed. The Conqueror executed his work in such a way that Norman Feudalism was never permitted to run its natural course in England. So the great achievement of transplanting Norman Feudalism into Scotland fell to the inexperienced genius of David I., and two or three of his successors on the throne, where alone it developed and exhibited itself in all its features and perfections for a period of upwards of three centuries.

The local chiefs were naturally and rightly averse to the planting of Norman nobles among them; although these adventurers and fortune-hunters were favourites at the court of David I. It seems that some of these Norman nobles brought their families and their own retainers with them, and thus, with the support of the king, they dispossessed the real owners and the occupiers of the land of Scotland. In 1130 the people of Moray, under their local chiefs, Angus and Malcolm, rose against the king. They advanced to Stracathro, in Forfarshire, where the king's forces met them, and a severe engagement ensued. Angus was slain and his followers were overthrown; but his brother Malcolm retreated and prolonged the contest for four years. David I. became greatly alarmed, and called upon the Norman nobles of Yorkshire and Northumberland to rally round his standard, and having thus mustered an army, in 1134 the king marched with his force to the disaffected North, and succeeded in overawing the local chiefs. The king then proclaimed the province of Moray forfeited to the Crown. He next parcelled out large portions of the best land of Moray among the Normans and adventurers who had followed his banner.<sup>3</sup>

In 1135 Henry I. of England died, the last of the Conqueror's sons, and having left no male issue, he bequeathed his dominions to his daughter; but Stephen, a nephew of the late king, contested her right to the throne, and he proved successful. David I. naturally

<sup>3</sup> *Saxon Chronicle*, Vol. II., p. 227; Robertson's *Scot. under her Early Kings*, Vol. I., pp. 189-191,

supported the claim of his niece, the queen, and led an army across the Border. Many of the northern castles of England opened their gates to him. When he had advanced nearly to Durham, Stephen approached with a large army to bar his progress. David then retired to Newcastle, and Stephen followed him. The two armies confronted each other for fourteen days, and finally a peace was concluded.<sup>4</sup>

But David I., besides his obligation to support the queen's claim, had a strong desire to annex the northern counties of England, and some hope of succeeding to the throne of England himself. So early in 1138 he again led an army across the Tweed, and spent some time in attacking castles, and in ravishing the northern counties; but the approach of Stephen's army caused David to concentrate his scattered forces and prepare for battle or retreat. After some fruitless movements and delay, David with his army advanced towards Durham; while the defenders of England, concentrated at Northallerton, planted their standard and prepared for battle. Before the battle began a most significant event occurred. Robert de Bruce and Bernard de Baliol appeared before David I., as emissaries from the English army; they had come to persuade David to retire at once with his army, and not offer battle to the Norman nobles, who were his greatest benefactors. Robert de Bruce held wide territories in Yorkshire, and David himself had granted to him the extensive and fine district of Annandale. De Bruce's position was thus a deplorable one; he saw that he could not ride upon two horses at once when they were running in different directions, and accordingly he renounced his allegiance to David I. and returned to the English camp. This was the identical position of most of the great Norman nobles in Scotland from this date till the battle of Bannockburn. The strange thing is that David himself or his successors never seem to have realised its great political significance, and its consequent evil effect upon Scotland. Another dispute arose before the battle. David wanted his own small body of Normans and men-at-arms to lead the attack, but the Galloway men claimed the honour and the right to lead the van. A long wrangle ensued on the point, and Malise, the Scotch Earl of Strathern, said to the King: "Why trust you to these Normans? unprotected as I am, none shall be more forward in the fight." David was forced to yield. The Galloway men advanced

<sup>4</sup> *Saxon Chronicle*, Vol. II., p. 230.

to the charge, and rushed with such force on the enemy that the front ranks reeled and were driven back in confusion. But the English, supported by their bowmen, reformed, and the battle raged with great fury. Rank after rank of the Scots fell under the storm of arrows from the English bowmen, and at last the Scots were completely defeated. The battle was fought on the 22nd of August, 1138, and is known as the Battle of the Standard. The following year peace was concluded, on the conditions that King David's son, Prince Henry, should receive the Earldom of Northumberland and his other fiefs in England, that the laws and local customs should remain intact, and the rights of the Archbishop of York and the Bishop of Durham.<sup>5</sup>

The remaining years of David's reign were mainly devoted to the changes and the reforms which he introduced in connection with the land, the church, and the burghal communities, but these will be treated in another chapter.

David's only son, Prince Henry, died on the 12th of June, 1152. By his wife, Ada Warenne, he left three sons and three daughters; two of his sons lived to ascend the throne of Scotland, and his third son, David, became Earl of Huntingdon<sup>6</sup>. The death of his only son cast a gloom over the hopes of David I. and the closing months of his reign; but to smooth the way for the succession of his grandson, Malcolm, a boy of eleven years of age, David placed him under the charge of Duncan Earl of Fife, who then proceeded with the young prince throughout the kingdom to obtain his recognition among the people as the heir to the throne. Thus having, as far as the circumstances admitted, secured the succession, David I. died on the 24th of May, 1153, after a reign of twenty-nine years.

On the death of his grandfather the young prince was crowned at Scone, under the title of Malcolm IV. But before the end of the year his supporters had to meet a rising of the Celtic people led by the

<sup>5</sup> *Acts Parl. Scot.*, Vol. I., pp. 2-6; *Saxon Chronicle*, Vol. II., pp. 232, 233; *Chronicles and Annals of the Priory of Hexham*, Vol. I., pp. 90-93.

<sup>6</sup> For future reference it may be noticed that this Earl David married a sister of Randolph, Earl of Chester, and by her he had three sons and four daughters. His eldest daughter, Margaret, married Alan of Galloway, and it was through her issue that John Baliol claimed the crown of Scotland. His second daughter, Isabella, married Robert de Bruce; Ada, his youngest daughter, married Henry de Hastings: we will find the representatives of the issue of these daughters of Earl David claiming the crown.



sons of Malcolm Mac Heth, and Somerled, the local ruler of Argyle. They attacked the kingdom at various points, and the war continued three years. In 1156 Donald, the eldest son of Malcolm Mac Heth, was captured at Whithern, in Galloway, by the King's adherents, and was imprisoned in Roxburgh Castle along with his father, but Somerled continued the war; and from motives of policy the King came to terms with Malcolm Mac Heth, and liberated him from prison. In 1159 a peace was concluded between Somerled and Malcolm IV.,<sup>7</sup> but other dangers surrounded the King.

It appears that the King was unpopular, and a number of the nobles seem to have conspired to dethrone him, or to secure his person and then make their own terms. They surrounded the King in Perth in 1160, but their attempt failed; and Malcolm at once proceeded to act with vigour; he mustered an army, and the same year he thrice invaded Galloway to bring the inhabitants under subjection. He subdued the local chief, Fergus, who then retired into the monastery of Holyrood, where he died the following year. Thus Galloway was placed in feudal subjection to the crown; but the inhabitants for long after this stoutly maintained their own local customs and laws. About the year 1161 Malcolm invaded Moray, drove out a number of the inhabitants, and attempted to supplant them by the Norman nobles and their followers.<sup>8</sup>

In 1164 Somerled attempted to invade the heart of the kingdom. He mustered an army, and a fleet of one hundred and sixty vessels, and when landing his army on the coast of Renfrew he was attacked by the people of the district, completely defeated, and Somerled himself and his son were slain.<sup>9</sup>

Malcolm IV. died on the 9th of December, 1165, in the twenty-fourth year of his age, and was succeeded by his brother, William the Lion. The Scotch kings still desired to annex the northern counties of England, and William was waiting for a favourable opportunity to make an attempt, and the difficulties of Henry II. seemed to afford what was wanted. In 1173 William led an army across the Border and wasted the north of England, without any result except a temporary truce. The following year the Scots again invaded England, and William the Lion while amusing himself, was

<sup>7</sup> *Historians*, Vol. IV., pp. 249, 250; *Chron. of Melrose*.

<sup>8</sup> *Historians*, Vol. IV., pp. 251, 252, 257.

<sup>9</sup> *Ibid*; *Chron. of Melrose*.



taken a prisoner by a party of English cavalry. The capture of the King entailed a serious disaster upon Scotland. Henry II. at once demanded that William the Lion should acknowledge the King of England as the feudal Lord Superior over the kingdom of Scotland, and that he should render due homage to his lord like other vassals. All the Scotch nobles, the clergy, and all other vassals, were to be under allegiance to the English king, and acknowledge that they held thir lands from him, and many other feudal promises and oaths to the same effect. The binding articles to secure the observance of the treaty were that the castles of Berwick, Roxburgh, Jedburgh, Edinburgh, and Stirling, should be placed in the hands of Henry II. After the castles were delivered over to King Henry's officers, William the Lion was liberated. This treaty continued in force for fifteen years, so far as it could be enforced. Henry II., to the day of his death, evinced the utmost determination to cling to its fulfilment. King William was continually summoned to attend as a vassal at the court of his English lord, and the Scotch nobles also were summoned to attend the court of their Lord Superior. Licence was granted by Henry II. to William for his expeditions into Galloway, and in every possible form it was attempted to be shown that the king and the kingdom were under the English crown.<sup>10</sup> In 1189 Richard I. ascended the throne of England, and one of his first acts was to annul all the concessions extorted by Henry II. from the captive William. The Scots paid ten thousand marks of silver to Richard I., all the castles were given up to them, and the kingdom restored to its former independence.<sup>11</sup>

While the King was in captivity the people of Galloway had risen against the new Norman settlers, and the king's officers, and they were all driven out or slain. When William returned in 1175 he entered Galloway with an army and the local chief, Gilbert, submitted. This district was soon in revolt again, and outbursts of rebellion recurred in it at short intervals for several generations. There is no doubt that the real causes of the rebellions in this district was the intrusion of the Norman nobles and their followers.

In 1179 William invaded the remote district of Ross at the head of his Earls and Norman nobles, subdued some portions of it, and erected two castles to support his authority; but he was not permitted

<sup>10</sup> *Fædera*, Record Ed., Vol. I., pp. 30, 31; Robertson's *Scot. Early Kings*, Vol. I., pp. 375, 376.

<sup>11</sup> *Fædera*, Vol. I., p. 50.

to retain possession even of his castles without a contest. From 1181 to 1188 the districts of Moray, Caithness, and other parts of the north were in revolt. This rising was led by Mac William, who claimed to be a lineal descendant of Duncan, the eldest son of Malcolm Canmore, and he aspired to the throne of Scotland. It appears that there were a number of people in the centre of the kingdom hostile to the king; and this explains why Mac William was permitted to hold the districts beyond the Spey for six years, and to ravage parts of the kingdom which were under the king. The whole circumstances and position of the kingdom looked as if the play of Macbeth was to be reacted. King William and his adherents were greatly alarmed. In 1187 the king mustered all the feudal force of the kingdom which he could induce to rally round his banner, and marched to Inverness, with the intention of pursuing his enemy into the remote parts of the Highlands. Some of the king's nobles had grave doubts about the fidelity of the royal army, and they advised William to remain at Inverness, and to entrust the immediate conduct of the war to those leaders on whom he could depend: but then some of the chief nobles positively refused to march against Mac William without the king; and matters looked dark and dismal. The king at Inverness was in the heart of a hostile country, with his own army in a state of insubordination; but one ray of hope remained, the king's friends fixed their eyes on Roland of Galloway, when all other means of saving themselves from destruction had vanished. Roland then placed himself at the head of three thousand of his own followers, and proceeded in search of Mac William. After advancing for some time, Roland descried a body of the enemy encamped on the moor of Mamgarvie in the upper valley of Strathspey. The opposing armies were nearly equal in numbers on each side, and a severe engagement ensued. But Mac William was completely defeated, and slain on the moor. For a time peace was restored in the north, and King William's crown preserved.<sup>12</sup>

But again in 1196 the king was in the north suppressing a rebellion. The Earl of Caithness had married a daughter of Malcolm MacHeth; and although William the Lion had been making desperate efforts to subdue the northern regions, Earl Harold held the Earldom of Orkney under the King of Norway, and he possessed the Earldom of Caithness at the same time. Earl Harold invaded and seized the

<sup>12</sup> *Chron. of Melrose*; *Robertson's Scot.*, Vol. I., pp. 385, 391-393.

province of Moray, and it was against him that King William then waged war. The Earl was in the end defeated, and the royal power somewhat strengthened, but the region was not subdued. It 1202, Harold, the Earl of Orkney, attacked the king's adherents and drove them out of Caithness. William again sent an army to Caithness, which was unable to penetrate into the country; but Harold himself under a safe conduct met the King at Perth. Terms of peace were agreed to, by which the Earldom of Caithness was restored to Harold.<sup>13</sup> In 1211 a son of Mac William appeared in Ross and recommenced the tactics which his father had followed. The king sent an army to operate against him, and afterwards William himself marched towards the north. The Earls of Athole, Buchan, and Mar, at the head of four thousand men proceeded into the remote quarters of the Highlands in search of Mac William. The rebel's fastness was upon an island, where his supplies and treasure were stored, and in it the royal army attacked him; but he made a desperate resistance, and the engagement was long and fiercely contested; and at last he retired and escaped to the mountains with a number of his followers. The main body of the royal army returned to the south, and the Earl of Fife was left in charge of Moray. Mac William soon reappeared, attacked one of the royal castles and burnt it to the ground. Shortly after he fell into the hands of Comyn, Earl of Buchan, and he was executed at the king's manor in Kincardine.<sup>14</sup>

During the latter years of the reign of King William, there was much disaffection among the people in the southern quarter of the kingdom as well as in the north. William's transactions and arrangements with King John of England were detested by many of his own subjects; as all the advantages of the English fiefs (if they were such) belonged exclusively to the royal family. It was of no importance to the Scots that the brother of their King should possess the Earldom of Huntingdon, or that their King should be received with a show of ceremonies at the English court whenever he thought fit to absent himself from his own kingdom. The people looked with well-founded suspicion at the concessions which William had made to King John, in order to avoid the forfeiture of his English fiefs and privileges.<sup>15</sup>

<sup>13</sup> *Historians*, Vol. IV., pp. 270, 271; *Chron. of Melrose*; *Orkneyinga Saga*.

<sup>14</sup> *Historians*, Vol. IV.; *Chron. of Melrose*.

<sup>15</sup> *Fadera*, Vol. I., pp. 103, 120; *Chron. of Melrose*; *Historians* Vol. IV.

Feudalism made considerable progress during William's reign, and the difficulties of his position greatly increased toward the end of his sway. He died at Stirling on the 4th of December 1214, having reached the seventy-third year of his age, and reigned nearly fifty years. He was succeeded by his son, Alexander II., a youth of seventeen years, who was crowned at Scone on the day after his father's death. It is recorded that the Bishop of St. Andrews and the Earls of Scotland, viz., Fife, Strathern, Athole, Angus, Monteith, Buchan, and Lothian took Alexander to Scone, and there raised him to the throne in honour and peace, with the approval of God and man, and with more grandeur and glory than anyone till then, while all wished him joy, and none gainsaid him. So King Alexander held his feast at Scone on that day and the two following days.<sup>16</sup>

About a year after Alexander II. ascended the throne, a son of the MacWilliam who had been slain in 1187, and Kenneth MacHeth, a grandson of Malcolm MacHeth, along with a son of one of the Irish local kings, invaded the province of Moray at the head of a large body of followers. But Ferquhard, Earl of Ross, mustered his adherents, attacked the insurgents, and soon completely defeated them, and captured and executed their leaders. He was knighted by the King as a reward for his prompt and effective action.<sup>17</sup>

On the hope of regaining the northern counties of England, Alexander II. in 1215 joined the disaffected English barons, who were then struggling against King John. In October the King with an army crossed the border and invested the castle of Norham, but failed to take it. King John was extremely wroth, and marched toward the north at the head of a rather mingled host of mercenaries. Alexander retired in the direction of Edinburgh, and John vowed, "by God's teeth that he would smoke him out of his covert." In his march he burned Roxburgh, Dunbar, and Haddington. Alexander posted his army on the river Esk, and awaited the attack of the enemy; but John was unable to advance farther than Haddington, as his troops were perishing for want of food. They plundered the Abbey of Coldingham, then retreated by Berwick; and King John gave the signal for burning that town by firing with his own hands the house in which he had slept the preceding night.<sup>18</sup>

<sup>16</sup> *Historians*, Vol. IV. This is the first detailed notice of a coronation which occurs in our records.

<sup>17</sup> *Chron. of Melrose*.

<sup>18</sup> *Historians*, Vol. IV., p. 299; *Chronicle of Lanercost*, pp. 17, 18; Notes, p. 373.



In the winter of 1216 the Scots again crossed the Tweed and took possession of Carlisle, and the castle after a long siege surrendered to them. King John died on the 19th of October 1216, and the following year peace was concluded. The line of the marches between England and Scotland had then become pretty well marked. In 1237 a more definite arrangement was come to, and from that date the efforts to extend the Scotch frontier southward ceased.

Alexander II. had now time to direct his attention to the internal state of the kingdom. It appears that he assembled an army at Inverness against Donald MacNeil in 1220. He mustered an army in May 1222, and advanced into Argyle with the intention of subduing and subjecting it to the authority of the Crown. There was no rising at the time in the district, and no resistance was offered to the progress of the royal army. The people were overawed; all those who were implicated in past rebellions fled for their lives, and their lands were given to the King's own followers; some gave hostages for their future behaviour, and others gave sums of money to purchase the king's peace. The expedition lasted from May to Christmas, and its result was that the south division of Argyle was placed more directly under the Crown and formed into a sheriffdom; but the lordship of Lorne remained in the possession of the Celtic chief, while a large part of North Argyle had been, a few years before, placed under the new Earl of Ross, who defeated and executed the MacWilliams and MacHeths. About twenty years before, the extensive districts lying to the west of the Drumalban mountains, which belonged to the bishopric of Dunkeld, were separated from it, and formed into a new bishopric called at first Argyle and afterwards Lismore.<sup>19</sup> The chief object of the erection of this diocese was to attach the inhabitants within its limits more firmly to the Crown. The province of a bishopric, with its extensive possessions in land held under feudal tenure, afforded a great support to the royal authority: insomuch that it appears improbable that feudalism could have been introduced into the kingdom without the assistance of the Church, which in the thirteenth century had obtained possession of about one-third of the whole land of the kingdom.

There were still occasional risings in the North and in Galloway.

<sup>19</sup> *Historians*, Vol. IV., pp. 283, 284; *Acts Parl. Scot.*, Vol. I.; *Stat. Alex. II.*; *Dr. Grub's Eccles. Hist. Scot.*, Vol. I., p. 301.



About 1229 there was an insurrection in Moray, which was suppressed by Comyn, the Earl of Buchan; and immediately after the Comyns were in possession of the district of Badenoch. The lands of those who manifested any disaffection were usually forfeited to the Crown, and then the kings granted such lands to their own favourites, or to some bishopric, monastery, or church.<sup>20</sup> As a matter of fact, much of the land which the Crown gave to the Church in the twelfth and thirteenth centuries was obtained by the Crown itself in the way indicated.

In 1235 Alan, the son of Roland, Lord of Galloway, died, leaving one illegitimate son, who had married the daughter of the King of Man, and three daughters, who were married to Norman nobles. These nobles then divided Galloway betwixt themselves. But the men of Galloway preferred one lord rather than three; they had acquired some experience of the rule of these Norman nobles, therefore they rightly concluded that the government of one noble would be more bearable than the government or tyranny of three. Accordingly they requested the King to proclaim the fief lapsed to the Crown; but he declined to listen to their reasonable request. Then they invited Thomas, the natural son of their late lord, to at once assert his claim to the Lordship of Galloway. To prepare the way for their new lord, they immediately commenced to wage war on the neighbouring districts of Scotland, and in a short time Thomas appeared in Galloway. In July 1235, Alexander II. mustered his army and proceeded towards Galloway, and advanced into it; the insurgents kept upon the heights and watched the movements of the royal army. When the king's forces had become entangled in marshy ground, the Galloway men attacked them, and would have destroyed the royal army, if it had not been for the Earl of Ross, with his body of Ross-shire men on foot, who by a rapid movement, turned the insurgents' flank, and forced them to retreat. The following day, the king granted a free pardon to all the insurgents, who appeared before him with ropes round their necks. Alexander then retired with his army from Galloway.<sup>21</sup>

But Thomas and other leaders of the revolt fled to Ireland, and prepared for a renewal of the struggle. Thomas and his associates equipped a fleet, and along with a body of Irishmen, he landed in

<sup>20</sup> *Historians*, Vol. IV., p. 288; Robertson's *Scotland*, Vol. II., pp. 19-21.

<sup>21</sup> *Chron. of Melrose*; *Historians*, Vol. IV.

Galloway and recommenced the war. But the Earl of Dunbar and his followers, accompanied by the Bishop of Galloway and the Abbot of Melrose, faced the insurgents, and their leaders seeing themselves outnumbered, surrendered. Thomas was imprisoned in the Castle of Edinburgh.<sup>22</sup> Thus the disaffection in Galloway was stifled for a time. But in 1247, the oppressive tyranny of the Norman noble, Roger de Quinci, exasperated the people to such a degree, that they rose and besieged him in one of his own castles. He defended himself with great determination, until his provisions began to fail; as he had no reason to expect any mercy from the besiegers, he at last resolved to make a desperate effort to escape. So the gates of the castle were flung open and the noble and his men rushed through the ranks of their assailants, and rode for their lives to the court of Alexander II. As a matter of course, the King reinstated the Norman noble in his lordship.<sup>23</sup>

The policy of Alexander II. was to extend the authority of the Crown to the utmost limits of the Highlands and the Isles. He attempted to obtain the Western Isles by treaty with Haco, the King of Norway, but this failed; and he then proposed to purchase the Isles, which offer also was declined. Alexander, however, had resolved to have the Isles; and he equipped a fleet, mustered a force, and proceeded to subdue the Western Isles. When engaged in this undertaking, Alexander II. died in the Isle of Kerrera, off the coast of Lorne, on the 8th of July 1249, in the fifty-first year of his age, and the thirty-fifth year of his reign. His remains were interred in the church of Melrose. He was a man of great energy, an able ruler, remarkably humane, and his reign was marked by progressive efforts.

In the reign of Alexander II. the Scotch Church began to hold regular provincial councils; as the national clergy were empowered by a bull from the pope in 1225, to assemble such, and to enact and promulgate canons. The conservator of the council was elected by the bishops from their own number; and he held office simply from one council to another, with power to punish transgressors of the canons, and to enforce their observance by the censures of the Church. He summoned the council by a writ to each bishop, and

<sup>22</sup> *Chron. of Melrose; Historians*, Vol. IV. According to one account, Thomas was liberated from imprisonment in a short time, but the *Lanercost Chronicle* states that he was delivered into the hands of John Baliol as a hostage, and confined in the dungeons of Barnard Castle for fifty years.

<sup>23</sup> Robertson's *Scot.*, Vol. II., p. 28.

when absent himself from the meeting, the senior bishop present assumed his functions and presided. The Scotch clergy adopted a definite code of rules for the assembling of annual provincial councils, and diocesan synods. Before the end of the thirteenth century, they had passed and adopted some sixty canons, which appear to have been sufficient for the government of the Church till the sixteenth century. From 1225 till 1478, the Scotch Church was ruled under the Pope by her own national synods, and temporary presidents; although the Crown often interfered, and the kings occasionally asserted their supremacy in ecclesiastical matters.<sup>24</sup>

Alexander II. was succeeded by his son Alexander, a boy in his eighth year; and five days after the death of his father, the boy was crowned at Scone. Walter Comyn, Earl of Menteith, and all his clergy, accompanied by the Earls of Fife and Strathern, and many other nobles, led Alexander up to the cross which stood in the cemetery at the east end of the church. Here they placed him upon the famous Coronation Stone, which was covered with cloth of gold, and the Bishop of St. Andrews, assisted by the rest, consecrated him King. Then the King received the homage of the feudal nobles of the kingdom. A venerable Highland bard robed in scarlet then advanced, and kneeling before the Stone of Destiny, hailed the boy King in the Gaelic tongue, as "Ri Alban," and repeated his long line of pedigree from king to king till he reached Iber Scot.<sup>25</sup>

During the minority of Alexander III., the nobles fully entered on the policy of faction and ambition which figured so darkly in the subsequent history of the kingdom. The marriage of King Henry's daughter with the boy Alexander III., gave the English king the opportunity of continually interfering in the internal government of Scotland. The nobles were divided into factions, each of which in some measure represented opposite interests, feelings, and tendencies. One party consisted of the nobles of the north and west, which, in a qualified sense, might be called the national party; the other party was mostly connected with the southern quarters of Scotland, and with England. The leader of the national party was Walter Comyn, Earl of Monteith, and his kin were numerous and powerful. Alexander Comyn was Earl of Buchan, and many other members of the group possessed wide territories in different quarters

<sup>24</sup> *Statuta Eccles. Scot.*, Vol. I., Pref. pp. 49-51.

<sup>25</sup> *Historians*, Vol. IV., pp. 289, 290.

of the kingdom, including the district of Badenoch; and the Earl of Mar and the majority of the chief men northward of the Firths of Forth and Clyde followed the Comyns. This party, so far as appears, desired to uphold the liberty and independence of Scotland, and consequently they were apt to resent and to resist the continual attempts of the English king to encroach upon the rights and liberties of Scotland. The ablest man among the other party was Alan Durward, who held the office of Justiciary of Scotland in the reign of Alexander II. He assumed the title of Earl of Athole from 1233 to 1235, and he married a natural daughter of Alexander II., by whom he had several daughters; and it was alleged in 1252 that he was endeavouring to obtain from the Pope the legitimation of his wife, so that in the case of the death of the boy Alexander III., Alan Durward's daughters would be the heiresses of the crown of Scotland. Thus Alan was a great and aspiring personage; while most of his supporters were men of position, including the names of the Earls of Dunbar and Strathern, Robert de Bruce, fourth Lord of Annandale, the Steward, and other nobles chiefly connected with the south of Scotland, and with England.<sup>26</sup> This party at every turn showed a desire to forward the interest of the kings of England, to sacrifice the liberty and independence of Scotland, in the hope of thereby retaining their feudal fiefs in England, and at the same time securing their hold upon the land of Scotland. In short, they were always trying to ride upon two horses at once, running in opposite directions.

The two parties of the nobles struggled against each other to obtain the chief positions in the government of the kingdom, and to seize and retain possession of the boy King and his wife, for Alexander III. was married before he had reached eleven years of age. The struggle was continued during the period of the King's minority; sometimes one of the parties and sometimes the other obtained the position of rulers of the kingdom, while both parties tried to secure their hold by every means in their power. Henry III. rarely failed to render the state of affairs worse rather than better. Comyn, the Earl of Monteith died in November 1258, and Henry III. then advanced obnoxious proposals, which however failed in their aim, as the Scots rejected them.

The repeated attacks of the Norsemen, and their conquest of the

<sup>26</sup> *Historians*, Vol. IV., pp. 292, 293, *et seq*; *Chron. of Melrose*; *Fiedera*, Vol. I., 272, 275, 278, 327, 329, 347, 352, 357, 358, 362.



Islands and part of the mainland in the north, have been noticed in the preceding pages. The islands of Orkney and Shetland were dependencies of Norway, ruled by local chiefs called jarls; the Western Isles were also claimed by her; and on the mainland, to the north-westward of the Moray Firth and Glenmore, there was a region forming a kind of debatable territory, which as we have seen, the kings of Scotland had long been attempting to subdue. When Alexander III. attained the age of twenty-one, he endeavoured to obtain the Western Islands by negotiation, and sent an embassy to the King of Norway which failed in its object. He then announced his intention to subject these Islands, and the war was commenced by the local chiefs of Ross. But Haco, the King of Norway, considered this attack on the Western Isles as an encroachment on his rights and prepared for war. He was a strong-willed man, well obeyed by his subjects, and he ordered a conscription over his dominions. Haco made great preparations for the expedition; a ship was specially built for himself, which mounted twenty-seven banks of oars, glittered with gilded dragons, and was manned by picked Norwegian seamen. Many of the ships were large and well equipped, and in all numbered upwards of one hundred and twenty vessels. On the 10th of July 1263, Haco with his fleet sailed for the Shetland Islands; whence he steered for the Orkneys, and anchored in Elwick harbour, opposite Kirkwall. Haco sailed from Orkney on the 10th of August and anchored in the Sound of Skye, where the King of Man and other Norwegian chiefs joined the expedition. He then sailed through the Sound of Mull to Cantyre, where the forces from the Isles were concentrated. He sent fifty ships under the command of the King of Man to plunder the coasts of Cantyre, and five ships to the island of Bute. The castles of Dunaverty in Cantyre, and Rothesay in Bute, having surrendered, Haco with the whole fleet rounded the Mull of Cantyre, sailed up the Firth of Clyde, and anchored off the island of Arran.<sup>27</sup>

The Scots had made preparations for the defence of the mainland. The castles of Inverness, Ayr, Stirling, Wigtown, and others, were repaired and the garrisons strengthened; while the King had concentrated the main body of his army in Ayr, where the great attack was expected to be delivered. Negotiations were opened, and Haco claimed a right to the whole of the Western Isles. As the object of

<sup>27</sup> *Expedition of Haco, p. 55, et seq.*



the Scots was to gain time, they proposed to retain the islands of Bute, Arran, and the two Cumbræes; thus they protracted the negotiations till towards the end of September. Then Haco discovered their intention, and proclaimed the truce at an end. He sent sixty vessels to devastate the coasts, and prepared to land with the main body of his force at Largs. But on the morning of the 1st of October a hurricane arose which lasted several days; many of Haco's ships were wrecked, and his main fleet much disabled. The royal flagship dragged her anchors, while the greater part of the fleet was drifting in distress. Five vessels were driven ashore upon the coast of Ayrshire, near Largs. The Scots had assembled in groups along the beach, observing ship after ship drifting past; and they began to attack the shipwrecked crews, who sheltered themselves behind their vessels. A reinforcement from the fleet landed and drove off the Scots. On the morrow a body of the Scots were posted in the vicinity of the village of Largs, ready to renew the attack. An engagement ensued, and the Norwegians fought heroically though outnumbered, and, after a somewhat protracted contest, they gained their boats and sailed off. By this time Haco's fleet was greatly diminished, and all hope of success had vanished; so he steered his course for the Orkney islands, which he reached in November. The strain of the expedition, and its utter failure, affected the spirit and frame of Haco, and he died on the 15th of December, 1263. His remains lay three months in the Church of Kirkwall, thence they were carried and interred in the tomb of his ancestors at Bergen.<sup>28</sup>

When the tidings of Haco's death reached Alexander III., he resolved to reduce the Western Isles to subjection. A force was mustered and placed under the command of the Earls of Mar and Buchan, and Alan Duward, and the army proceeded to the isles. On its approach some of the chiefs fled, some of them were hanged for the support which they had given to Haco's expedition, while others were expelled or fined. The Earls secured much booty, and then returned to the mainland. With the view of a final settlement, negotiations were opened with the new King of Norway, Magnus VI. In July 1265, a treaty was concluded with Norway, by which the Isle of Man, and all the islands off the coasts of Scotland were ceded

<sup>28</sup> *Expedition of Haco*, pp. 77, 85, 87, 107, *et seq.*; *Historians*, Vol. IV., pp. 296, 297.

to Alexander III., on the condition that the Crown of Scotland should pay four thousand marks, and an annual rent of one hundred marks to the Crown of Norway. But the islands of Orkney and Shetland were to remain attached to the Crown of Norway.<sup>29</sup> Henceforth Scotland was freed from the ravages of the Norsemen.

The remaining years of Alexander's reign were peaceful and progressive in every direction. Alexander III. had a son and a daughter, and in 1281 the latter, Margaret, was married to Eric II., King of Norway; the same year the Prince of Scotland married Margaret of Flanders, a daughter of Count Guy de Dampierre. The prospects of the nation then looked exceedingly bright. But on the 9th of April, 1283, Alexander's daughter Margaret, died, leaving an only child, called the Maid of Norway; and the Prince of Scotland died on the 28th of January, 1283-4, without issue. The great difficulty was at once seen, and the king summoned a meeting of the Estates of Scotland, which assembled at Scone on the 5th of February, 1284. At this meeting there were present twelve Earls, namely, Mar, Strathern, Athole, Fife, Buchan, Angus, Monteith, Ross, Dunbar, Lennox, Sutherland, and Carrick; ten bishops; and twenty-five barons, all of whom bound themselves in the name of the nation to acknowledge the king's grand-daughter, Margaret, the Maid of Norway, as the heir of the Crown of Scotland.<sup>30</sup>

Alexander III. married a daughter of the Count de Dreux, on the 14th of October, 1285, and he still hoped to leave lineal heirs to the throne. But on the 15th of March, 1286, when he was riding in the night along the coast of Fife, near Kinghorn, he was thrown from his horse and killed. A sad and mournful end; the lamentation was universal, and all the people looked forward to the future with dismay. The last king of the Celtic race slept with his fathers, and the crown of a far-descended line fell to a weakly infant.

A meeting of the nobles and clergy was held at Scone on the 2nd of April, 1286, and six guardians were elected to govern the kingdom. For the districts on the north of the Forth the bishop of St. Andrews, and the Earls of Fife and Buchan, were appointed; and for the country on the south of the Forth, the Bishop of Glasgow, John Comyn, Lord of Badenoch, and the Steward of Scotland. The elements of the approaching contest were already stirring, as several

<sup>29</sup> *Historians*, Vol. IV., p. 296; *Chronicle of Man*, p. 52.

<sup>30</sup> *Acts Parl. Scot.*, Vol. I., p. 82.

of the nobles aspired to the throne, which they considered vacant. Robert Bruce of Annandale, entered into a bond with a number of Scotch and English nobles with the aim of supporting his claim to the throne of Scotland. This document is dated the 20th September, 1286, and it contained the names of the Earl of Dunbar and his three sons, the Earl of Monteith and his two sons, and the Steward of Scotland; Angus, Lord of the Isles, and his two sons; the Earl of Ulster, and Lord Thomas de Clare, two English barons. Thus it appears that Bruce's party was pretty strong. In this document Bruce and his supporters ignored the infant queen, the Maid of Norway, but they assumed that the throne would be occupied by some one of royal blood, who should obtain it according to the ancient and approved customs of the kingdom.<sup>31</sup>

It is uncertain whether Edward I. knew of this bond, but he had a project of his own. He had a son, and if his son could be married to the Maid of Norway, he imagined that all would go right. Edward I. therefore applied to the Pope for a dispensation to sanction the marriage; and a papal bull authorising the marriage of the two children was issued in November 1289, although they were within the prohibited degrees of relationship. A formal conference was held at Salisbury, at which various matters connected with the marriage were arranged, with the mutual concurrence of England, Norway, and Scotland. In March 1290, the Earls, barons, and clergy of Scotland, met the ambassadors of England at Brigham, and after deliberation the articles arranged at Salisbury, and other points, were confirmed and a treaty concluded, which sanctioned the marriage of the royal children. This treaty provided that the rights, the laws, and the liberties of Scotland should continue entire and untouched. No native was to be compelled to answer for any crime or cause at any court out of the kingdom; no parliament was to be held beyond the boundaries of Scotland to discuss Scotch affairs: in short, the complete independence of the nation was recognised and strictly guarded by this treaty.<sup>32</sup>

It seems that Edward I. imagined that he had thus secured the kingdom. He at once appointed the Bishop of Durham Lieutenant of Scotland, in the name of Queen Margaret and the Prince of Eng-

<sup>31</sup> *Hist. Doc. Scot.* from 1286 to 1306, published by Royal Com., Vol. I., pp. 22, 23; Hailes' *Annals*, Vol. I., p. 203.

<sup>32</sup> *Hist. Doc. Scot.*, Vol. I., pp. 90, 91, 134, 35, 36, 111-113, 105-111, 129-131; Hailes' *Annals*, Vol. I., pp. 208-212.

land, to act along with the guardians, the bishops, and the nobles of the realm. Waxing bolder, Edward demanded that all the royal castles in Scotland should be immediately surrendered to him; but for once he had miscalculated the force of his influence and dignity, as the Scots refused to deliver the castles of the kingdom into his hands.<sup>33</sup>

Edward I. quickly equipped a ship to transport the young queen from Norway. This ship was well stored with provisions and luxuries—thirty-one hogsheads and one pipe of wine, and ten barrels of beer; a very large quantity of salted beef, hams, dried fish, stock fish, lampreys, sturgeon, and fifty pounds of whale, along with twenty-two gallons of mustard, salt, pepper, vinegar, and onions. A stock of dainties, specially prepared for the delicate, young Queen, consisted of five hundred walnuts, two loaves of sugar, grits, oatmeal, mace, figs, raisins, and thirty-eight pounds of gingerbread. The ship carried the English flag, and the crew numbered forty hands. She reached her destination all right; and in due time she sailed from Norway with the Queen on board. Edward I. sent his agents to Orkney to meet her, he also sent a number of precious jewels to Scotland to bedeck her; indeed, he put himself to great trouble to secure the consummation of this marriage. But the child died just before she reached the Orkney Islands, in the end of September, 1290.<sup>34</sup> Thus perished the hopes which Edward I. had associated with his marriage project. He subsequently adopted a different line of procedure, still with the same end in view—the complete subjection of Scotland. Before proceeding with the historic narrative it is requisite to review the state of society and the progress of the nation up to the date of the outbreak of the War of Independence.

<sup>33</sup> Hailes' *Annals*, Vol. I., pp. 212, 213.

<sup>34</sup> *Historical Doc. Scot.*, Vol. I., pp. 139, 140, 182, 183-192, 178, 179, 149-153.

## CHAPTER IV.

*Social Condition of the Nation in the Twelfth and Thirteenth Centuries.*

THIS chapter will present an account of the social state of the kingdom. The government, introduction of charters, the powers granted to the nobles, and an explication of feudalism ; customary law in a transitional stage, forms of trial and punishment, and the privileges associated with sanctuaries, will be treated. Royal burghs, church burghs, and burghs of regality, the coinage and the commerce of the kingdom, the organisation and the possessions of the Church, schools, literature, and architecture, will be dealt with. Agriculture and the state of the occupiers and toilers of the land will be detailed.

At the end of the eleventh century the people and the government were Celtic ; although the Angles had long been settled in the south-eastern quarter of the kingdom, the Norsemen still held sway in Caithness and the islands. The proceedings connected with the introduction of Norman feudalism for some time seriously interrupted the continuity of the progressive movement of the kingdom, as the people in some quarters of the country were bitterly opposed to it ; but it was fostered and supported by the kings, and had spread over the Lowlands before the close of the thirteenth century.

The king stood at the head of the feudal organisation, as the leader of the army, the fountain of honour, the dispenser of titles ; and nominally the prime administrator of justice, and the chief landholder in the kingdom. His revenue was mainly derived from the rents of the crown lands, the feudal casualties of ward, marriage, relief, and non-entry, the rents of the royal burghs, and the customs on merchandise, and the fines imposed in the king's courts. Public taxes were assessed on all lands, and levied according to the exigences of the nation. From these sources the feudal kings of this period raised a considerable revenue. The king had his Justiciary, Chamberlain, Chancellor, Constable, Steward, and other Crown officials ; and before the end of the thirteenth century the offices of Steward and Constable had become hereditary in the families of Stewart and



Morevil. In the thirteenth century the Chamberlain was the collector and also the disburser of the Crown revenues, and in virtue of these functions he was the most important of the great officers of the Crown. Out of the revenues in his hands he had to provide for all the branches of public expenditure, including the charges of the royal household, and all extra military expenses. He also had a complete jurisdiction over all the burghs. The immediate receivers of the royal revenues were the sheriffs and bailies, who collected the rents of the crown lands, the feudal casualties, and the fines imposed by themselves, by the Justiciaries, and by the Chamberlain himself at his annual circuit courts in the burghs, and by the magistrates and the custom officials, who accounted for the burgh rents and the customs. The Chamberlain and other officers intrusted with public money, had their accounts audited in exchequer usually once a year; and the more important of these audited accounts were then engrossed for preservation on parchment rolls.<sup>35</sup>

Meetings of the kings with their chief men and the clergy for the transaction of important affairs occurred at an early period, as we have seen in preceding pages. According to the feudal principle all the Crown vassals should have attended the king's great council or court; as a matter of historic fact, only the chief officers of the Crown, a few of the churchmen and nobles, usually attended the meetings of the council; and further, it must be observed that the legislative functions of the king's council were not clearly distinguished from the function of counselling the king in judicial proceedings: in other words, the legislative and the executive departments of Government were not as yet distinctly discriminated in Scotland. Alexander I. held a council in 1107, in which Turgot was chosen Bishop of St. Andrews by the king, the clergy, and the people; and in 1114, when he refounded the Abbey of Scone, the council consisted of the king and queen, two bishops, six earls, and some other persons, "witnessing and consenting." Sometimes the laws were enacted and issued in the name of the king and his judges. The laws of David I. run in the form of an order or a declaration of enacting power, thus: "The King David has statuted," "the King David has ordained," "the King has decreed and delivered." Some of David's charters, granted with the consent of the council, assumed a rather imperative style, such as his foundation charter of Holyrood:—"I David, by

<sup>35</sup> *The Exchequer Rolls of Scotland*, Vol. I., A.D. 1264-1359. 1878.

the grace of God, King of the Scots, of my royal authority, and with the assent of Henry, my son, and the bishops of my kingdom, and with the confirmation and testimony of the earls and barons, the clergy also assenting and the people, of divine prompting, grant all the things under written to the church of the Holyrood of Edinburgh." Malcolm IV., in royal grants of great importance, adopted the style of his grandfather, David I. In 1184 William the Lion held a council at Perth, in which the members present were described as bishops, abbots, priors, earls, barons, and all the good men of the land, and this meeting passed a number of acts. Alexander II. assembled a council at Stirling, in 1236, in which the Bishop of St. Andrews, the prior of Coldingham, the Earls of Fife and Buchan, the Steward of Scotland, the Justiciary of Lothian, John de Maxwell, and others, were present, and the record says that they passed the acts, nine in number, with the assent of the whole community. Alexander III. held a number of councils similar to the preceding ones, but there was no regular Parliament in Scotland, as now understood, during this period.<sup>36</sup> Although it is obvious that the kings did not assume to act in important matters solely in virtue of their royal authority, they usually sought and obtained the assent of the chief men of the kingdom.

The Justiciary was a high legal functionary, and first appeared in the reign of Alexander I. In the reign of William the Lion there were two Justiciaries, one for Lothian, and the other for the country on the north of the Forth; and in the reign of Alexander III. there were four of these functionaries—one for Lothian, another for Gallo-way, and two for the country to the northward of the Forth. These judges usually went through their districts on circuits twice a year. Sheriffs were gradually introduced, and by the middle of the thirteenth century a considerable part of Scotland had been divided into sheriffdoms. The sheriff was intrusted with a wide jurisdiction, both in criminal and in civil cases, and also in fiscal matters. William the Lion enacted that each sheriff should hold his court at intervals of forty days, and in the latter part of the thirteenth century there were upwards of thirty sheriffdoms.<sup>37</sup> It will, however, shortly appear that there was not a regular code of laws, and that the judicial processes then in operation presented a curious jumble.

<sup>36</sup> *Acts Parl. Scot.*, Vol. I. ; *National MSS. of Scot.*, Pt. I., No. 16.

<sup>37</sup> *Acts Parl. Scot.*, Vol. I., pp. 55, 57, *et seq.* ; *Exchequer Rolls of Scot.*, Vol. I.

In connection with the introduction of feudalism, and an extraneous aristocracy, the kings adapted the expedient of granting lands by charter to their new nobles. A specimen of one of the earliest of these charters may be quoted:—"David, King of the Scots, to all good men of his whole land, greeting. Know that I have given and granted to Robert of Bruce, in fee and heritage, to him and his heirs, the valley of Annan, in forest, on both sides of the water of Annan, as the marches are from the forest of Selkirk as far as his land extends towards Strandnith and towards the Clyde, freely and quietly as any other forest of his is best and most freely held. Wherefore I forbid that any one hunt in the aforesaid forest, unless by his authority, on pain of forfeiture of ten pounds, or that any one go through the aforesaid forest unless by a straight road appointed." How is this charter to be interpreted? Must I suppose that this fine valley of Annandale was then uninhabited? The charter tells nothing, save that Bruce is to possess it as a free forest exclusively for his own use. Fortunately, in this instance, the grant was confirmed by another charter in the reign of William the Lion, which will enable us to understand in some degree the former grant of "free forest":—"William, King of the Scots, to the bishops, abbots, earls, barons, justices, sheriffs, and other good men of his whole land, greeting. Be it known to all present and to come, that I have given and granted, and by this, my charter, confirmed, to Robert of Bruce and his heirs, all the land which his father and himself have held in the valley of Annan, by the same marches by which his father held it, and he after his father. To be held to himself and his heirs of me and of my heirs in fee and heritage, in wood and plain, in meadows and pastures, in moors and marches, in waters, stanks, and mills, in forests and trysts, in hills and harbours, in ways and paths, in fistings, and in all other just appurtenances, as freely, quietly, and fully as ever his father or he himself most freely held that land of King David, my grandfather, or of King Malcolm, my brother." Thus the second charter renders the meaning of the first one intelligible, as we see that under the first grant of free forest there was also conveyed a grant of "free barony," or the grant of "free barony" had been conferred some time before the free forest grant, which was the usual mode of procedure.<sup>38</sup>

The above may be fairly taken as genuine historic example of a

<sup>38</sup> *National MSS. Scot.*, Pt. I., Nos. 20, 39, 19.

large number of similar ones. The Norman nobles obtained charters granting to them lands, and sometimes extensive tracts of territories. But it occasionally happened that the territory granted by the charter could not be made available to the holder of the charter, owing to the opposition of the real owners and occupiers of the territory in question ; and there were instances of royal charters granting lands which never became operative. In order to overcome this opposition of the people, and to dispossess them of the land, so that the Norman nobles might be amply accommodated, various expedients were resorted to. David I., in reference to the rights and claims of the people in the possession of the land, had recourse to the following expedient :—Those who were bold enough to oppose the schemes of the king were permitted to appear before his court, or a jury selected or controlled by him : then every one who held land had to prove that he and his lineal ancestors had continuously held the land in question for four generations, and every one that failed to prove this was told that he had no right to the land, and that the king would dispose of it as he thought fit. In the reign of William the Lion it appears that charters had become a requisite of the right to hold land ; and in 1248, at a council held in Stirling, it was enacted “ that from this time henceforth no oath should be taken touching the life or limb of any man holding land, except by those men who were freeholders by charter.” Thus the charter was made a test of freedom and of civil rights, as well as the requisite condition of holding land : and further, the Norman nobles in Scotland enjoyed the invidious privilege of sending substitutes or champions to fight for them instead of appearing in person when challenged to single combat by any Scotsman. Yet in 1230 it was enacted that every petty knight, or any man who held land by charter, if challenged to single combat at the Bridge of Stirling or anywhere else, could appoint substitutes to fight for them. By these processes and the means briefly indicated, from the accession of David I. to the throne, onward to the death of the Maid of Norway in 1290, a period of one hundred and sixty-six years, many thousands of the people of Scotland were deprived of their natural and just rights in connection with the ownership and the occupancy of the land of the kingdom. Many of them were then reduced to a state of extreme privation, and a considerable number of them fell into the condition of serfdom. When thus rendered landless, David I. enacted “ If any man be found in the king’s land that has not a proper lord, after the king’s writ has been read in the



courts, he shall have the space of fifteen days to find a lord. And if within that term he does not find a lord, then the king's justiciary shall take from him five cows for the king's use, and keep his body to the king's behalf until he get him a lord."<sup>39</sup> This act was expressly drawn with the object of compelling the people to yield and place themselves under the Norman nobles.

With the support and assistance of David I., and some of his successors, the Norman's shortly obtained possession of extensive territories held under feudal tenure. In some instances the rights and privileges of regality were granted along with the territory, though the title of Earl was withheld, and a right of regality meant an almost absolute jurisdiction over the whole inhabitants of the district included in the charter. The lower form of feudal tenure, called "free barony," also embraced a pretty complete jurisdiction over all the people within its bounds. As a specimen, a portion of a Crown charter of the Earldom of Fife may be quoted:—"Alexander, by the grace of God, King of the Scots, to all good men of his land, greeting: Be it known to all present and to come that we have granted, and by this our charter have confirmed to Earl Malcolm of Fife, son of Earl Duncan, the Earldom of Fife, as Earl Duncan, his father, held it. To hold to him and his heirs of us and our heirs in fee and heritage, in wood and plain, in lands and waters, in meadows and pastures, in moors and marshes, in stanks and mills, in fish ponds and fishings, in ways and paths, with soc and sac, with gallows and pit, with toll and them, and infangthef, . . . with all things to that Earldom justly pertaining."<sup>40</sup> Thus an Earl had a right not only to the land, but also to everything else within the borders of the Earldom. Even the natural elements, such as water, were appropriated by the feudal lords. There was a collection of Forest Laws, but they were not nearly so savage as the forest laws of England; and the penalties in connection with infringement of these laws were pecuniary fines.

The privileges of an Earldom embraced an authoritative jurisdiction in civil and criminal cases of every description; in a word, the Earl had the lives and the property of the people within the limits of his territories in his hands. He had the power of executing any one of his vassals; cases of assault, theft, and all the disputes which arose amongst the people of the territory came under the jurisdiction of

<sup>39</sup> *Acts Parl. Scot.*, Vol. I., pp. 9, 51, 70, 74, *et seq.*

<sup>40</sup> *National MSS. Scot.*, Pt. I., No. 50.



the earl ; and the fees, fines, and escheats of goods, which arose from the numerous feudal relations of the several ranks of his vassals. Further, an earl, or a baron, holding under free barony, was empowered to enforce ward, relief, merchant, and many other feudal services. If there were villages and towns in the earldom, the earl was the superior of these also, and might treat the inhabitants as he thought fit.<sup>41</sup>

An earldom or a great barony presented in miniature all the characteristics of a feudal kingdom. Like the king, the earl was the supreme ruler within his territories ; he had his own courts, and appointed his own sheriffs and bailies, his chamberlain, constable, and other officials. Then portions of his lands, with its castles, formed his special personal domain for the accommodation of his family, his officials, and his personal retinue. But the far greater portion of the lands of the earldom were held by the vassals of the earl. These feudal vassals were of different ranks, consisting in some earldoms of thanes, knights, free tenants, tenants-at-will, down to bondmen and serfs. Tenants-at-will merely held land from year to year, and they, with the bondmen and the serfs, were the toilers of the lands of the earldom. The ranks above the toilers of the soil, formed the military force of the earldom, with the earl as their leader. All the ranks above the servile classes, were under feudal allegiance to the earl and bound to follow him in all his causes and quarrels against any person or party in the kingdom, save the king. Then the earl, or a baron with the rights of an earl, could grant lands to his vassals under various conditions, and so thanes and knights were frequently the vassals of a feudal earl. These thanes and knights in turn could re-let to the class below them ; and these also might sub-let. In this way many of the small gentry ultimately became proprietors of land ; but the greater number of them remained as the feudal vassals of their lords till quite recent times.<sup>42</sup>

<sup>41</sup> *Antiquities of the Shires of Aberdeen and Banff*, Vol. II., p. 109 ; Vols III. and IV., *in loc.* : " All feudal lords through feudal Europe were equally fond and proud of the right of executing those whom they had first convicted and sentenced to death. The Gallowhill is still an object of interest, and, I fear, of some pride, near our old baronial mansions ; and I know somewhere the surrounding ground is full of the remains of the poor wretches who died by the barons' law. Perhaps the pit was for the female thief, for women sentenced to death, were, for the most part, drowned." Innes' *Legal Antiq.*, pp. 58, 59.

<sup>42</sup> *Acts Parl. Scot.*, Vol. I., pp. 60, 68, *et seq.* ; Innes' *Legal Antiq.* ; *Antiquities of the Shires of Aberdeen and Banff*.

An important part of Feudalism as it was introduced and developed in Scotland, was directly associated with the Church. It appears that monks and churchmen were amongst the first who obtained regal jurisdiction over the inhabitants of the lands which the kings granted to them by charter. Alexander I. refounded the monastery of Scone and empowered the abbot and monks to hold their own court, this was confirmed by Malcolm IV. and by William the Lion, and the latter charter ran thus —“William King of the Scots, . . . know that I have granted, and by this my charter confirm, . . . to the church of Scone and the abbot and canons serving God there, all the liberties as the charter of King Malcolm my brother witnesses: to wit, their court to be held with full jurisdiction, in battle, in iron, and in water, with all the liberties pertaining to a court, with liberty of answering to no one outside their own court. Let no one therefore of my subjects attempt to break this liberty of theirs under the pain of my forfeiture.” The abbots of Dunfermline, Kelso, Holyrood, Jedburgh, and other great monasteries, had their own courts; and the Bishop of St. Andrews had his own court. In the reign of Alexander III., at least one third of the best land in the kingdom was held by the Church. These lands were held under the most favourable feudal tenures, as the numerous Crown charters to churches, monasteries, and bishoprics amply testify. On these extensive church lands there were various ranks of vassals and tenants, bondmen and serfs. The highest class of church vassals were almost of equal rank with the lesser barons and freeholders of the Crown; they usually held their lands by charter, free of all services, and only paid a nominal rent. From an examination of many circumstances, it seems almost certain that the greater part of the lands which David I. and his two grandsons, Malcolm and William, granted to the Church, were the very lands of which the real owners and occupiers had been dispossessed. This accounts for the great numbers of bondmen and serfs which were attached to the church lands in the thirteenth century.<sup>43</sup>

If none of the real owners and occupiers of the land were deprived of it by the expedients and the processes associated with the introduction of charters in relation to the rights of holding land, then how is it possible that David I. and his two grandsons could have been in possession of all these fine tracts of land which they gave to

<sup>43</sup> *National MSS. Scot.*, Pt. I., Nos, 16, 30, 36, 37, 54; *Register of Dunfermline*, pp. 220-222; *Register of Kelso*; *Charters of Holyrood*; *Acts Parl. Scot.*, Vol. I.

the Church within so short a period? Is there any other historic interpretation which will meet the known conditions and the circumstances connected with this important social phenomena? There is no difficulty in understanding how it occurred that David I. was represented as a saint by certain chroniclers, who also looked upon the Norman nobles and their Feudalism as the real originators of civilisation in Scotland.

One striking characteristic of Norman Feudalism as manifested in Scotland, was its tendency to assume hereditary forms. The great officers of State; sheriffs, bailies, stewards, keepers of castles, forests, and parks, became hereditary; and indeed all titles and offices from the throne downward to the common occupations associated with the brewhouse and the smithy, assumed the hereditary form. Politically and socially, feudal organisation as developed in Scotland, contained within itself the very elements of anarchy; associated with extremely few of the agencies and influences which tend to promote order and advance civilisation.

The prevailing forms of trial by custom or law, and the modes of punishing crime, are important in all stages of society. It is interesting to note that the earliest fragments of the statute law of Scotland contain references to a still earlier common usage: "The assize of the country," "As law will and custom is," "According to assize of the land," these expressions occur in the laws of David I.; and in one of David's statutes a direct reference was made to a law of Malcolm Canmore, "as it was established in his father's days." These phrases meant that the matters in question were to be settled according to the local customs of the people, and present an illustration of custom or usage in the process of passing into written law.<sup>44</sup>

The earliest laws of Scotland were full of regulations concerning the punishment of murder and theft. When the thief was caught with the stolen goods in his hands, he was at once tried and punished. It was only when the crime in question was not evident that the peculiarities of the early laws appeared. In the reign of David I., a man accused of theft might have attempted to clear himself in two ways, by battle, or the purgation of twelve leal men; there was nothing adduced on either side by witnesses who were cognisant of the facts, for evidence of that kind was not then deemed necessary. When the accused denied the charge, he had to find twelve

<sup>44</sup> *Acts Parl. Scot.*, Vol. I., pp. 8, 9, 11-13, *et seq.*

compurgators, men of the neighbourhood, who knew the character of the parties, and these men swore that they believed the accused to be innocent. But the number of the compurgators varied from one to thirty, according to the rank of the parties and the nature of the crime: thus, two men were considered sufficient to prove that a person had violated the King's peace, and accordingly punishment followed; but twenty-four men were requisite to acquit a man for an offence against the majesty of the King. In the reign of William the Lion, when a habit-and-repute thief was pursued by the suit of one or more baronies and could find no one to become bail for him, he was then seized and hanged without any trial.

When there was no evidence admitted by witnesses, if the accused person failed to bring the requisite number of compurgators, his last resource was to appeal to the wager of battle. There were definite and minute rules for its procedure, and during the combat the strictest silence was observed. The judges of Galloway decreed that any one who spoke in the place where the battle was being waged, after silence had been proclaimed, should forfeit ten cows to the king; and if any one interfered with his hand, or even made a signal in any way, his life and limb should be in the king's power.<sup>45</sup>

During this period several restrictions were introduced in the application of the trial by battle. Churchmen were exempted from appearing in single combat; men past sixty years of age could decline it; and widows who could not fight, were to be protected in their just rights. Burgesses had privileges in connection with it; as the citizens of the royal burgh might claim combat against those who depended upon subjects, but in turn they were not obliged to grant it unless they thought fit; and the burgess might decline the challenge of an upland man. The thief's lord might fight an accuser of his own rank if he thought proper, but the poor man could only challenge his fellow; the barons, knights, and freeholders, could also fight by proxy, appoint a champion to fight for them; while the body of the people were bound to fight in person. After the order for trial by battle, by hot iron, or by water, had been given, it was no longer open to the parties to compromise the case for a penalty; and any lord who promoted such a thing forfeited his court. There is ample evidence of the prevalence of the ordeals of hot iron and water in Scotland, but no detailed account of the forms of the process have been preserved

<sup>45</sup> *Acts Parl. Scot.*, Vol. I., pp. 5-8, 55, 56.



in any of the early records. As mentioned in a preceding page, the right of trial by battle, iron, and water, was granted to a number of monasteries; but it appears that this privilege was open to endless abuses. David I. in one instance provided that his own judge should always be present at the court of the Abbot of Dunfermline, to see if justice was rightly administered. In 1180 William the Lion enacted: "That neither bishops, abbots, nor yet earls, barons, nor any freeholders, should hold their courts unless the king's sheriff or his serjeant be there, or summoned to be there, to see that the court be rightly led. . . . That no baron have leave to hold a court of life and limb as of judgment by battle, or water, or hot iron, unless the king's sheriff or his serjeant be there to see if justice be truly kept as it ought to be." In the same reign it was enacted, that when any one was accused of theft by the magistrate and three leal men, he should underlie the law of water; if in addition to these accusers, three witnesses knowing the facts were found, he was not to be put through any of the ordeals, but immediately to be hanged.

Toward the end of this period ordeals were falling into disrepute, though there is no direct evidence as to when they were abolished, or when jury trial was introduced. One form of ordeal, the battle, later the judicial combat, afterwards called the duel, lingered on amongst a class of madcaps until recent times. The people of Galloway retained the modes of ordeals long after the other quarters of the kingdom had discarded them. In the reign of Robert Bruce they still continued to be governed by their own local laws, and had not obtained nor apparently desired trial by jury; and even down to 1385 Douglas, Lord of Galloway, while undertaking in Parliament to promote the execution of justice in his territory, protested for the liberty of the law of Galloway in all points.<sup>46</sup>

In Scotland civil cases were tried by jury earlier than criminal ones. But throughout this period there was no jury trial in the modern sense, that is, a judge who finds the law, and a number of citizens who find the fact from the evidence placed before them; it

<sup>46</sup> *Acts Parl. Scot.*, Vol. I., pp. 69-71, 49, 55, 53, 122, 187; *Register of Dunfermline*, p. 12; *Ancient Laws and Customs of the Burghs of Scot.*, pp. 8, 11, 163. The best account of the process of trial by the ordeals of iron and water that I have seen, is in Pike's *Hist. of Crime in England*, Vol. I., pp. 207, 208; there is also a mass of matter touching the subject in Pitcairn's *Criminal Trials*.



was long ere this stage was reached. There were both civil and criminal cases reported as having been tried by jury, during the thirteenth century in Scotland, but then the jurymen were also witnesses in these cases: in England, about the same time, this prevailed in jury trials. The later history of trial by jury mainly consisted of the steps by which the jurors were changed from witnesses into judges of the facts stated by others to them. As yet the ideal of law was only dimly conceived and vaguely comprehended. Public justice was hardly at all discriminated in the minds of the people from the natural feeling of revenge. It seems strange that the crime of murder could be commuted by a fine; but in an age of fierce strife this may have been the most effective punishment. It appears to have rested with the family of the murdered man to abstain from prosecuting to the utmost, when their feeling of revenge could be appeased by a fine. Indeed, there was another penalty due to the king or the lord for the shedding of blood, if their peace was violated, in addition to the compensation paid to the kin of the slaughtered man.

The country for a limited distance around the king's court and person, and the public highways, were in the king's peace, under his immediate protection, and a breach of the peace within this area was severely punished. The king further extended his peace to pilgrims during their journeys to and from the tombs of the holy saints.

Amid all the rudeness of the society of the period there were indications of improvement and feelings of humanity. The poor and the weak were placed under the king's protection; and in the ancient laws the widow and the fatherless children were not forgotten. Women in Scotland held a high position, a fact which was well understood and fully appreciated by the Norman nobles. If a criminal, doomed to the gallows, escaped with his life after the first attempt to hang him, then he was freed from punishment for his past offence; but the party who bungled the execution was subjected to a heavy fine. In connection with the stealing of cattle and sheep, the chief crimes of the period, it was enacted that no one should be hanged simply for taking as much as he could carry, unless it amounted to the value of two sheep; thus a distinction was drawn between the masterful rifter who drove off the cattle and sheep, and the needy thief who merely seized what he could carry. A severe punishment was inflicted on any one who intentionally killed a watch-dog.<sup>47</sup>

<sup>47</sup> *Ancient Laws of the Burghs Scot.*, pp. 4, 53; *Acts Parl. Scot.*, Vol. I.

In an age when moral power was comparatively weak, the passions little restrained, and the inflamed feeling of revenge pursued its victims, it was a humane measure to make the church a place of refuge. By the canon law all churches were to afford protection to the criminal for a limited time, to allow the first burst of passion to assuage, before the injured party could claim redress. So in the early statutes of the Scotch Church it was enacted that every consecrated church, with a right of baptism and burial, should have the privilege of sanctuary, which extended for thirty paces round the graveyard. In early times the boundaries of sanctuaries were sometimes marked off by stone crosses, such as those at the monastery of Dull, in Athole; but the great sanctity of some places of worship arose from the extreme veneration for their patron saints, and the significance and virtue attached to the relics which were preserved in them; and yet the church and even the holy altar were not always safe from violence. The church of Wedale, now called Stow, was one of the most famous of Scottish sanctuaries. About the year 1166 William the Lion issued a precept to the ministers of the church of Wedale, intimating to them not to detain the men of the abbot of Kelso, who had taken refuge there, nor their goods, as the abbot himself was willing to give them full justice. David I. granted the church of Lesmahagow to the monastery of Kelso, and also confirmed its privilege of sanctuary in the following terms:—"Whosoever for escaping peril of life and limb flees to this church, or comes within the four crosses that stand around it, out of reverence to God and St. Machutus, I grant him my firm peace." Tynninghame in Lothian, and Inverlethan in Tweeddale, were also noted sanctuaries in their day.<sup>48</sup>

The law of sanctuary in Scotland was defined and regulated in the reign of Alexander II. Careful rules were stated to guard against the danger of encouraging crime by offering an easy escape and immunity to fugitive vagabonds, thieves, and homicides.<sup>49</sup>

In the introduction many references were made to the localities and the positions where the people fixed their habitations, and erected defensive dwellings and structures of various kinds for their security and protection. Further, it was shown that there were towns and villages from an early period. The people who lived in these towns

<sup>48</sup> *Statuta Eccles. Scot.*, Vol. II., pp. 18, 19, 37, 46; *Sculptured Stones of Scot.*, Vol. II., App. to Pref., p. 66, Notices of Pl., p. 11; *Register of Kelso*, Vol. I., pp. 9, 10, 22, Vol. II., p. 317.

<sup>49</sup> *Acts Parl. Scot.*, Vol. I., p. 71.

were, no doubt, in a limited sense the vassals of the king or of the local chiefs, but it does not follow that these townsfolk had no proprietary rights or customary rights of trade before the era of granting charters. On the contrary, as there were rights of property in land centuries before charters came into use, so the townsfolk had their recognised customary rights in Scotland and elsewhere for ages before the period of charters. In accordance with this, the earliest charters of the royal burghs always implied the previous existence of an organised community; thus the royal charter simply recognised organised communities already existing. Dundee, Berwick, Inverness, Aberdeen, and other towns on the coasts, were places of foreign trade before the charter period; but the king's charter, which placed the burgh communities under the special protection of the Crown, and also conferred on the burgesses privileges of trade, were great advantages, which tended to promote order and industry, and to advance civilisation. Although, when the kings granted charters to the burghs, they had their own interest in view, for originally each burghess was a Crown vassal, and paid a fixed yearly rent for his separate tenement. The Crown appointed officers to collect these rents, who accounted for them; the king also claimed the fines imposed in the courts of the royal burghs, and certain customs which were collected by the Crown officers. These arrangements continued in operation till about the end of the thirteenth century; and subsequently another arrangement came into practice by which the burgesses obtained short leases from the chamberlain, on the condition of paying a specific sum to the king, thus they acquired a right to the rents, the issues of their courts, and the petty customs. These leases were granted on comparatively easy terms, but sometimes a grassum was paid on their renewal. From this practice another arrangement gradually came into operation, by which the burgesses obtained from the Crown charters of feu-farm, converting their lease into a perpetual right. Aberdeen and Edinburgh were the first burghs which obtained these feu charters; the former in 1319, for a yearly rent of £213 6s. 8d.; and the latter in 1329, for a rent of 52 marks.<sup>50</sup>

Berwick, Edinburgh, Stirling, Perth, Aberdeen, and Roxburgh, were among the first burghs which received royal charters, but the

<sup>50</sup> *Exchequer Rolls of Scot.*, Vol. I.; *Acts Parl. Scot.*, Vol. I., p. 118; *Charters of Edinburgh, Burgh Re. Soc.*, p. 16.

greater number of the royal burghs in the kingdom were constituted before the close of the thirteenth century. At the same period the Church had its burghs; the nobles also had their burghs of regality and barony. The higher nobles imitated the king, and often granted exclusive rights and privileges to the inhabitants of the towns within their earldoms and baronies; sometimes the Crown attempted to assert its prerogative by extinguishing the privileges of such burghs, but it rarely succeeded.

There were associated trading communities on the north side of the Grampians in the reign of David I. As we learn from a charter of William the Lion, granted to the burgesses of Aberdeen and the north in the year 1196, in these terms:—"William, by the grace of God, King of the Scots, to all good men of his whole land, greeting. Know all men present and to come, that I have granted, and by this my charter have confirmed to my burgesses of Aberdeen, and to all the burgesses of Moray, and to all my burgesses dwelling to the north of the Munth (the Grampian mountains) their free hanse, to be held where they will and when they will, as freely and peacefully, fully and honourably, as their ancestors, in the time of King David, my grandfather, had their hanse freely and honourably. Wherefore I strictly forbid anyone to trouble or disturb them therein, on pain of my full forfeiture."<sup>51</sup> The hanse meant the privilege of trade and association, but to what importance these burgesses of the north attained cannot be ascertained, further than that the hanse did not survive the War of Independence.

In the south of the kingdom the burgh communities had reached the stage of united action at the opening of the twelfth century; their union consisted of the towns of Berwick, Roxburgh, Edinburgh, and Stirling. Their meetings were held under the presidency of the king's chamberlain, and called the "Court of the Four Burghs." Like other early assemblies, the proceedings of this body of burgesses presented a commingle of the legislative and judicial functions, and their court occasionally extended its operation beyond municipal organisation, and established rules on matters of private right and obligation. The members of this burghal court framed the code called "The Laws and Constitutions of the Four Burghs," which is the earliest body of Scotch laws extant. This code was sanctioned by the Government in the reign of David I., and many of the early

<sup>51</sup> *Acts Parl. Scot.*, Vol. I., App. to Pref., p. 77.



charters of the royal burghs contain internal evidence of having been drawn from it. These burgh laws have sometimes been attributed to the wisdom of David I., but they embodied the practical experience of several generations before his time, and some additions were made to them after his day. A portion of these laws were drawn from the customary usage of the Saxons in the south of Scotland. The Burgh Laws are the most complete of the early fragments of Scotch legislation, and their last editor declared that no such ancient and well-authenticated code of burgh laws exists in the world.<sup>52</sup>

The union of the Four Burghs gradually developed, and in 1405 delegates from all the royal burghs on the south of the river Spey were ordered to assemble once a year to deliberate upon their common affairs; and in 1454 its place of meeting was fixed at Edinburgh by royal charter. Under the name of the Convention of Royal Burghs it continued its annual meetings, and treated on matters relating to the burghs; and, although the Convention still meets, since 1835 most of its powers and functions have departed.<sup>53</sup>

The local rulers of the burgh community were elected by the whole body of the burgesses once a year. The newly elected alderman (chief magistrate) and the bailies then swore fealty to the king and to the burgesses—"That they should not punish any man or woman except with the sanction of the ordinary council and the judgment of the good men of the burgh. That neither for fear, nor for love, nor for hatred, nor for kinship, nor for loss of their silver, should they spare to do right to all men." It seems that the distinction between skilled craftsmen and the men of commerce or merchants did not emerge in an acute form for a considerable time after the institution of the royal burghs. But the increase of trade and wealth, and a more minute division of labour among hand-craftsmen, tended in the direction of such a distinction. A few clauses of charters, and a statute of William the Lion, gives a general liberty to the merchants of the realm to buy and to sell, meaning that the merchant guild should have a monopoly of buying and selling within the limits of the burghs. A short code, entitled the Statutes of the

<sup>52</sup> *Ancient Laws and Customs of the Burghs of Scot.* Edited by C. Innes. Pref. p. 21; *Report on Municipal Corporations of Scot.*, p. 15. 1835.

<sup>53</sup> "The towns of England, neither by themselves nor in conjunction with the shires, ever attempted before the seventeenth century to act alone in convention like the Scotch burghs, nor in confederation like the German League." Stubb's *Const. Hist. Eng.*, Vol. II., p. 220.



Guild, originated in Berwick about the middle of the thirteenth century, and was at first intended for the government of the guild merchants of that town. This code contains fifty-one statutes, all of which were framed before the end of the thirteenth century.

The preamble of these statutes suppresses all other trading associations. The first statute enacted that all particular guilds previously acting in any burgh, should be extinguished, and that their goods and chattels ought and should be given to this guild, except the members form a union and come to an understanding to act together in all good deeds in fellowship, secure and faithful friendship without deceit. The regulations and binding clauses of these statutes are very definite and minute; and they were soon generally adopted in all the royal burghs of Scotland. The payment for entrants into the merchant guild was fixed at forty shillings, unless they were sons or daughters of the guild brethren. No one was permitted to deal in hides, wool, wool skins, nor cut cloth within the burgh, unless he was a guild brother. It was enacted "that no butcher, so long as he choose to practise his trade, should buy wool or hides, unless he will abjure his axe and swear that he will not lay his hand upon beasts." In the Laws of the Burghs, an earlier code already noticed, it was enacted "that no dyer, flesher, shoemaker, or fisherman, can be allowed to entre the guild till he swear not to exercise his craft with his own hands, but only by servands under him."<sup>54</sup> At a later period a severe and long struggle ensued between the merchant guilds and the craftsmen, touching the privilege of trading and other municipal rights.

It has sometimes been stated that there was no trace of thralldom in the Scotch royal burghs. This, however, is not historically accurate, for in the burgh laws the following occurs:—"If any woolcomber leaves the burgh to dwell with upland men, while he had sufficient work to occupy him within the burgh, then he ought to be taken and imprisoned." There is another law in the same code which has often been misinterpreted: it runs thus:—"If any man's thrall, baron's or knight's, comes to a burgh and buys a burgage, and dwells in his burgage for a twelvemonth and a day without challenge of his lord or his bailie, he shall be for evermore free as a burgess within that royal burgh, and enjoy the freedom of that burgh."<sup>55</sup>

<sup>54</sup> *Ancient Laws of the Burghs of Scot.*, pp. 34, 35, 60, 64, 69, *et seq.*

<sup>55</sup> *Ibid.*, p. 9; *Acts Parl. Scot.*, Vol I., pp. 23, 41.

Thus we see that before a serf could become free, he had to purchase a house—a burgage tenement in the burgh, and dwell in it for a year. But in those times wherewithal could a serf purchase a house? At the present time, how many day-labourers could purchase a house in a town?

Every royal burgh had right to hold markets. The market day was an occasion of unusual freedom, only the traitor, the outlaw, and the malefactor, could be arrested in the open market. Runaway serfs, debtors, and small offenders of every description, were at liberty unless they broke the peace of the market, and those who were guilty of this, were tried by a special court, known under the name of Dustyfeet. In this court the peace-breakers were tried by their peers—the community of the market. The Dustyfeet were the travelling pedlars, the real forerunners of the modern haberdashers; and these and other extraneous traders, who sold their goods from a stall, could claim cut and lot, that is, share and share of the market ground with the burgesses. Thus, in the market, all were placed on an equality, a characteristic which accords well with the origin of markets, indicated in a preceding page.<sup>56</sup>

Although the government and organisation of the royal burgh communities seemed to be democratic, the guild brethren manifested strong aristocratic leanings. For instance, they enacted—"that every burgess having ten pounds worth of goods shall have in his stable a seemly horse, worth at least forty shillings. And if he be deprived of his horse by any chance, death, sale, gift, or in any other way, he shall within forty days provide another. If not, he shall be fined eight shillings to the guild." Still these burgh communities were the only classes among the people, who possessed wealth and a measure of freedom, associated with some culture and intelligence. They were usually loyal and faithful supporters of the king, and contributed a considerable part of the gross revenue of the kingdom. Their organisations encouraged habits of industry, tended to promote order and security, and to advance civilisation.

In a preceding page reference was made to burghs under earls and barons, and church burghs. Thus there were three classes of burghs besides the royal ones. A burgh of regality held its privileges of some earl or lord; a burgh of barony was of lower rank, and also held its rights from its local lord; and from the earliest times the

<sup>56</sup> *Ancient Laws of the Burghs of Scot.*

constitutions of both these classes of towns varied. In some burghs of regality the inhabitants had the right of electing the magistrates and officers of the town ; in others, the superior or lord of the regality retained all these appointments in his own hands. Usually the superior of a burgh of regality took special care to hold the control of its inhabitants well within his own grasp. The rights and privileges of such burghs were—a right to hold markets, and the exclusive right of trade and manufacture within the town ; and some burghs of regality had power to form bodies of craftsmen somewhat analogous to those of the royal burghs. Among burghs of regality may be mentioned Dunbar, which belonged to the Earl of Dunbar ; Wick, to the Earl of Caithness ; Inveraray and Campbeltown to the Argyle family. Burghs of barony became numerous, but at this period most of them were villages and small hamlets. The principal church burghs were St. Andrews, Glasgow, Brechin, Dunkeld, and Dunblane, which belonged respectively to the bishops of these sees ; and Dunfermline, Paisley, Jedburgh, Kelso, the Canongate, Selkirk, and Arbroath, belonged to the abbots and canons of the respective monasteries of these towns. These religious corporations seemed as eager to obtain trading rights and exclusive privileges as any other organised class in the kingdom.

The early records of the Scottish mints were lost, and little information of the coinage of this period can be obtained, except what may be drawn from the coins which still remain. The earliest of these are the silver pennies of Alexander I. ; there was no gold coinage in this period. From the reign of Alexander I. to the War of Independence there was a regular coinage of silver coins ; and throughout this period the standard of fineness was at least equal to the current money of England. The money was then coined in many different burghs, in Berwick, Roxburgh, Edinburgh, Stirling, Perth, Aberdeen, Inverness, Dunbar, and in other towns. The workmanship of these coins is rather rough, but not much inferior to the English coins of the same period.

It was already mentioned, that gold and silver were found in Scotland, plenty of iron and coal, and some lead. Few or no materials exist for tracing the rise and development of the use of iron and coal in Scotland. It was reported that iron was worked in the forests of Moray in the thirteenth century ; and in 1265 sea coal was mentioned in connection with the castle of Berwick. The monks of Newbottle digged coal from rude surface pits about the middle of the thirteenth

century; the Abbey of Dunfermline had a special grant from David I. of the gold produced in Fife; and it was reported that David had a silver mine in Cumberland.<sup>57</sup>

The weights and measures in use were various; the old Scotch pound consisted of fifteen ounces. David I. enacted that the Caithness pound should be the standard weight throughout the kingdom. The people of the Orkney and the Shetland islands used the Norwegian weights and measures till a recent period. Grain was measured by the chalder, which contained sixteen bolls, the boll four firlots or six bushels; this Scotch firLOT was equal to a bushel and a half of English standard measure. A skep of meal was a measure which appeared early in the records of the monasteries, and it contained twelve bolls. The lagen was an old measure of wine, ale, and oil, which was well-known among the religious houses of the period. Wool was sold by the sack of twenty-six stones; and hides by the last=twelve dozen.

The internal trade and the external commerce of the kingdom had developed considerably during this period. Fish was a staple article of commerce from very early times, stretching back beyond the period of the national records. The herring fishing was extensively engaged in during the twelfth century and succeeding centuries. There were customs payable on the export of herrings, keeling, ling, haddocks, whittings, cod, and oysters. In the reign of William the Lion, the Abbot of Holyrood sent his own men to fish for him off the Isle of May. The charters and the laws of the period clearly show that the fishing formed an important part of the economy and trade of the kingdom.<sup>58</sup> The rich religious houses entered freely into commerce, and the Abbot of Scone had a ship of his own; and Alexander I. granted to this monastery the custom of all the ships which landed their cargoes there. Scone had some foreign trade from an early period; but it was soon outstripped by Dundee and Perth, as the latter burgh obtained the exclusive right of trading over the whole of Perthshire. Stirling, St. Andrews, and Aberdeen, had commercial relations with the Continent; but Berwick appears to have been the great mart of traffic in Scotland throughout this period.

The exports mostly consisted of the raw products of the country. The furs entered for export duty, were fox, cat, marten, beaver,

<sup>57</sup> *Exchequer Rolls of Scot.*, Vol. I.; *Acts Parl. Scot.*, Vol. I., pp. 45, 48; Innes' *Legal Antiq.*, p. 168.

<sup>58</sup> *Ibid.*



otter, and hare ; and wool skins, deer and hog skins, lamb and goat skins ; oxen, cows, and horse hides ; salt, corn, meal, and malt, were among the articles taxed for export. The imports consisted of iron, lead, pots, pans, locks, knives, and other hardware articles ; wax, pepper, alum, ginger, almonds, figs, raisins, rice, and very large quantities of wines. Attention had been directed to shipbuilding at a very early period, and the herring fishing trade must have employed a large number of small vessels. Ships were built at Inverness and other ports, and Alexander III. had a number of ships built at Ayr. Shortly before the outbreak of the long war, the merchants of Berwick were numerous, rich, and enterprising. Letters of safe conduct were granted to many of them by the king of England, to pass and re-pass through his dominions in pursuit of their commercial business ; a burgess of Perth also received a passport to trade in England, and by its coasts. This friendly state of relations was by the subsequent current of events suddenly changed, and then we hear of the arrest of the ships which belonged to the merchants of Berwick by the English Government, and the keen remonstrances of the enterprising traders.<sup>59</sup>

In 1293, the Court of Flanders granted letters of protection to the people of Scotland to trade in that country, upon the condition of their rendering and paying the usual customs and duties. As documents of a commercial and peaceful character were rare at this period, the main points of these letters may be quoted :—"Be it known to all that we, of our own good will and for our own pleasure, by the advice of the good men and wise people, grant and promise to all those persons of the realm of Scotland, who are alive at present, and who shall be hereafter, that they may visit and come to tarry in, and return from, our country of Flanders, frankly and freely, upon payment and rendering of the rights, customs and taxes of our country of Flanders : and that we will not arrest nor cause to be arrested, by ourselves or others, them or any of them, nor their goods of any description, nor their households, for debt, nor in consequence or through the actions of another person, in which they shall not be indebted, nor security, nor answerable ; unless it so be that the present King of Scotland, or those who shall be kings hereafter, or who have been previously, was or were bound or under security to

<sup>59</sup> *Exchequer Rolls of Scot.*, Vol. I., pp. 6, 34, *et seq.* ; *Book of Scone* ; *Hist. Doc. of Scot.*, Vol. I., pp. 216-221, 423-426.



us, or our heirs, or our people therein ; then we and our heirs shall be able to arrest, or cause to be arrested, the people of Scotland, their goods and households, and to detain them until justice be done therein to us, our heirs, and our people.

“ And in like manner, as is above said, we promise to observe this well and faithfully for ourselves and our heirs, Counts of Flanders, in regard to the most excellent Lord John, by the grace of God King of Scotland, and to all his countrymen, in such manner and on such conditions as that the most high lord the King above named, shall observe such similar arrangements to my people of Flanders, and to my country. And this agreement shall continue from the Feast of St. Peter at the beginning of August next for three years.”<sup>60</sup> There is some scant indications that a few emigrants from Flanders occasionally settled in the Scotch royal burghs ; and there appears to have been a number of them in Berwick.

The chief home manufacture in the textile department was a rough woollen cloth made of native wool, which afforded apparel for the people. Other branches of manufactures were not as yet in an advanced stage, though handcraft arts had made some progress. There were goldsmiths, armourers, smiths, tanners, shoemakers, weavers, fullers, dyers, tailors, carpenters, and other craftsmen in every royal burgh. The monasteries had craftsmen of their own connected with their great organisations ; and a charter of Alexander I. authorised the Abbot of Scone to have one tanner, a smith, and a shoemaker. In relation to these matters, and, as illustrative of the armour and dress of the period, something may be learned from the Seals then used in Scotland.

The seal of Alexander I. represents the king on horseback, wearing a hauberk of flat rings fitted close to the body with a skirt, below which the quilted tunic appears. The hood was attached to the hauberk, and thrown back from the face ; the sleeves were wide and left the hands uncovered ; and the legs and feet were protected by ring mail, and from the heel the simple prick-spur projected. The breast-leather which secured the saddle was more ornamented than that on the seal of King Duncan. On the counter seal the king was sitting on a chair of state, and vested in royal robes. A richly embroidered cloak was thrown over his shoulders and fastened on the breast ; both arms were extended, his right hand holding a sword,

<sup>60</sup> *Hist. Doc. Scot.*, Vol. I., pp. 399-401.

and the left a globe surmounted by a cross : he does not appear to have a crown upon his head. Only fragments of the seal of David I. remain, but the design seems to be similar to that of Alexander's, and the seal of Malcolm IV. was also of the same design.

The seal of William the Lion remains intact, but its design and execution shows no advance in art. He was represented on horseback at gallop, with a lance and pennon of three points in his right hand, and in his left a shield. The shield was heater-shaped and plain ; the sheath of the sword appears hanging from the left side of the saddle, but the breast-leather and saddle have no ornament. The seal of Alexander II. showed a marked advance in art. He was represented on horseback with a drawn sword in his right hand, and a shield suspended in front of the body, on which was boldly depicted the lion rampant ; and he was armed in mail armour, with surcoat, a helmet square at the top, and with the aventail for protecting the face. The breast-leather of the horse was decorated with tassels, and on the back part of the saddle the lion rampant was emblazoned. Some of the seals of Alexander III. were richly designed, and executed with spirit and taste in all their details. On one of them the King was represented on horseback at full speed, completely armed in chain mail which encircled the limbs and feet, and over it a surcoat ; on his head a square-topped helmet with horizontal opening ; in his right hand a sword, and in front a shield suspended by the guige, and ornamented with the arms of Scotland, which were repeated on the long flowing caparison of the horse. The girths which secure the saddle first appeared on this seal, and the horse's head was decorated with a plume of feathers. The background was enlivened with trefoils. On the counter seal Alexander was represented after a design resembling those of the preceding kings, but much improved in style and enriched with ornament.<sup>61</sup>

The seals of the nobles were circular in form ; and those of ecclesiastics were usually oval shaped. The most common design of the former class was a man on horseback, associated with the figures of animals and other objects. The lion rampant, one, two, or three were frequently depicted on their seals. The boar's head, and the stag's head, the boar's head coupled, the fox, and the dog, often appeared ; the hunter on horseback with spear, horn, and dog, and the falconer also on horseback, with his arm extended and holding a fal-

<sup>61</sup> H. Laing's *Ancient Scottish Seals*, pp. 2-4.

con by the jess, were represented. The eagle seems to have been the favourite bird, and he was displayed in various attitudes, sometimes his breast was charged with barbs, under his head an ornament, and at the back of his head a cross; or he was represented as alighting. The cock crowing, the raven, and other birds occur; and serpents, lizards, and fish, were figured on these ancient seals. In 1292, on the seal of the Earl of Caithness, there were two figures sitting in a galley without sails, the mast terminated in a cross, and the prow and the stern in the heads of dragons, and the whole within a double tressure, flowered and counter-flowered; there was a hare above the shield, and on each side of it a lizard. At the same period Alexander of Argyll had a representation of a galley on his seal, somewhat resembling the above. On a seal bearing the date of 1176, there was a full-length figure of a female dressed in long and flowing drapery, with both arms extended, and a falcon resting on her left hand. On an oval shaped seal of 1181 there was a figure of a monkey, clothed and kneeling on one knee upon the back of an animal resembling a lion, and there seemed to be the head of an animal in front of the lion; the background of the seal consisted of a series of crosses.

On the seals of the bishops and the monasteries the figures and objects were usually of a religious character. On those of the higher churchmen the most common figure was a bishop in pontifical vestments. In 1203, on a seal of the bishop of Glasgow there was the figure of a young man seated before a lectern, on which there was a book; in his left hand he held a rod of office, while his right hand was a little raised and the forefinger extended, as if he were discoursing from the volume before him.<sup>62</sup>

Many of the symbols and figures on the seals of the twelfth and thirteenth centuries were similar to those which appear on the sculptured stones of Scotland. Thus a relation between the symbols and the art of the stone crosses and those exhibited on the seals may be considered as established; and this relation shows the continuity of the art.<sup>63</sup>

In the early part of this period the Church of Scotland was brought into accord with the prevailing form of Christendom. David I. refounded or organised most of the bishoprics and the monasteries, and endowed them very liberally. He was the first king in Scot-

<sup>62</sup> Laing's *Ancient Scot. Seals*, pp. 28, 29, *et seq.*

<sup>63</sup> *Sculptured Stones of Scot., II.*, p. 31, and App. to Pref. pp. 14-18.

land who enforced the payment of tithes. David and his successors introduced various orders of regular monks to supersede the Culdees; and in a comparatively short time most of the reorganised monasteries became very rich. The division of parishes and the parochial system began to assume form; but the monastic ideal and spirit was still strong, and cramped the development of the parochial organisation from its birth.<sup>64</sup> Many churches were conferred upon the great monasteries as property, and in this way it became the right and the function of the abbots of the monasteries to appoint many of the vicars of the parish churches; the result was that parochial duties and work were much neglected, and rarely became effectual in any quarter of the kingdom as a means of religious and moral instruction.

The diocesan form of church polity, which scarcely existed at the close of the eleventh century, was almost completed before the end of David's reign. He restored nunneries, and founded one at Berwick-on-Tweed; this nunnery was richly endowed, and had several small dependencies. It has been stated that "the principle of celibacy was effectively established among the Scotch clergy by David, along with his other reforms;"<sup>65</sup> but this seems doubtful. For there is ample evidence that celibacy never was effectually established among the clergy in Scotland, as their own records testify. Thus, "one great evil, it will be seen, the incontinence of the priesthood, stands confessed, deplored, and condemned through all the three centuries of Scottish ecclesiastical legislation. Here, as elsewhere throughout Christendom, every code of provincial, every code of synodical canons, calls, but calls in vain, upon the clergy to separate themselves from their concubines as they were styled—their wives, rather, as we may charitably hope that in most cases they should have been, but for the law which forbade the churchman to marry."<sup>66</sup> Listen to another great writer, well entitled to speak on the subject.—"The

<sup>64</sup> "The term parish, meaning any district, was at first appropriated to the diocese of a bishop. In 1179 it is used as synonymous with diocese, and applied to the bishopric of Glasgow. In some instances it would seem to mean the jurisdiction rather than the district. The word shire, so common in our old records, is often equivalent to parish, but sometimes applied to other divisions of church territory, which cannot now be defined." *Orig. Paroch. Scot.*, Vol. I., Pref., p. 20.

<sup>65</sup> Innes, *Sketches of Early Scot. Hist.*, p. 187.

<sup>66</sup> *Statuta Eccles. Scot.*, Vol. I., Pref., p. 205; *Register of Kelso*, Vol. I., pp. 77, 131, 132, 136, *et seq.*



historian must not shrink from the truth, however repulsive. Celibacy, which was the vital energy of the clergy, was at the same time their fatal irremediable weakness. The universal voice, which arraigns the state of morals, as regards sexual intercourse among the clergy, is not that of their enemies only—it is their own. Century after century we have heard throughout our history the eternal protest of the severer churchmen, of popes, of legates, and of councils.”<sup>67</sup>

Thus, though the clergy were a support to the Crown, their functions and duties as the teachers of morality and the national instructors of the people, were only very imperfectly performed. Still, any learning and education which existed in the kingdom was in their hands, for the chancellor of each diocese was entrusted with the general supervision of all the schools within the bounds of the bishopric. The rector or master of schools appears in record in the twelfth century in connection with the schools of Abernethy ; and in that and the succeeding century many notices of the schools and schoolmasters of St. Andrews, Roxburgh, Berwick, Ayr, Perth, Stirling, Aberdeen, and of other places, occur in several records. Touching the character of the education imparted in these schools no details have been preserved ; but probably the greater part of it consisted of the studies associated with the qualifications then necessary for admission to the offices and functions of the Church. There were also schools for teaching singing in the cathedral cities in the thirteenth century. It was enacted in the constitution of the Cathedral of Aberdeen, in 1279, that the master of the schools should see to the attendance of four singing boys at matins and high mass, and at all the great festivals: two to carry tapers and two to bear incense. Indeed, the services of the Church were accompanied with all the harmonic sound and ceremonial display which the resources of the kingdom could command.<sup>68</sup>

Anything in the form of literature composed in Scotland during this period was usually written in Latin ; Norman-French was not used either for literary purposes or official acts and State documents. Although, when Edward I. entered on his scheme of conquest, many writs and papers emanated from him in Norman-French relating to the affairs of Scotland.

<sup>67</sup> Dean Milman's *History of Latin Christianity*, Vol. VI., B. XIV., Ch. I. 1855.

<sup>68</sup> *Register of the Priory of St. Andrews ; Register of Dunfermline ; Register of Paisley ; Old Spalding Club Misc.*, Vol. V.



In the Introduction reference was made to the writings in Latin, fragments of chronicles, and Gaelic memoranda and rhymes ; and the following paragraphs present all the information of the writings of the period under review, which I could obtain. Robert, Bishop of St. Andrews, who died about the year 1159, was reported to have written *Statuta Ecclesiastica*, but it is not known to be extant. Gualterus, a prior of Kelso, who lived in the twelfth century, composed a tract entitled *Pro Ecclesiæ Scoticæ Immunitate Contra Rogerum Eboracensem* ; and one under the title of *Appellatio ad Curiam Romanam* ; and also letters *Epistolæ Diversos*. I have seen none of these writings, and am not aware that any of them have been preserved. Adam, an abbot of Melrose, afterwards elected Bishop of Caithness in 1213, and slain by the inhabitants in 1222, wrote a *History of Scotland*, in three books ; also *Epistolæ ad regem contra comitem de Caithness* ; *Epistolæ ad Alexandrum Papam*, in one book ; *Insularum Descriptiones*, in one book ; and *Excerpta Bibliæ* : but none of these works are known to be extant.

William Kilconcath was rector of the Friar preachers of Perth, and afterwards became Bishop of Brechin ; he died at Rome in the year 1274. He wrote a tract, entitled *Contra Ottobonum Papam*, and another on *De Scoticæ Ecclesiæ Dignitate*. Robert Kildelith was a monk of Newbottle, then Abbot of Dunfermline, afterwards Abbot of Melrose, and at last he attained the position of High Chancellor of Scotland. He produced *De Successione Abbatum de Melrose*. William Fraser was for seven years Chancellor of Scotland, and was elected Bishop of St. Andrews in 1279. After the death of Alexander III. he was elected one of the regents of the kingdom, and for a time he played an active and rather questionable part in the affairs of Scotland. Fraser wrote *De Jure Successionis Regni Scotiæ* ; and a work entitled *Concordantia in Evangelia*. He died in France in 1297.

Another class of writings of the period have more of the historic character, such as the *Chronicle of Melrose*, which begins with the year 735 and comes down to 1270. The early part of this chronicle seems to have been written about the end of the eleventh century, and it was afterwards continued by several scribes till it assumed its present form, probably about the close of the thirteenth century ; and for the later part of the twelfth and the greater part of the thirteenth centuries it is of considerable historic value. The *Chronicle of St. Crucis* is in its early part chiefly drawn from *Bede's History* ; it then leaps to the year 1065, and follows *Simon of Durham*, with some slight varia-

tions and additions to 1129 ; from that year it is mainly filled with notices relating to Scotland, ending abruptly in the year 1153. Throughout the MS. the handwriting is nearly similar. A few other short and slight chronicles of the period are still extant, but they contain little more than the names and succession of the kings, besides a few fragments of lost chronicles, the whole of which have been carefully edited and published by the authority of the Record Commissioners.

A few of the Chartularies of the monasteries, and parts of the Registers of the dioceses of Glasgow, Aberdeen, and others, were written in the thirteenth century ; and, although these cannot be called literature, yet such records contain invaluable historical materials. Long lists exist of the Records of Scotland which were removed from Edinburgh by Edward I. pending the settlement of the disputed succession, and which were restored to John Baliol, King of Scotland, in December 1292 ; but of their subsequent fate nothing is known. All that now remains is the titles and headings of the numerous rolls given in the Indenture, which testifies that the whole of them were returned to King John. From the lists in this document we obtain an idea of the great historical loss which the nation has sustained from the disappearance of the records. These were of the most varied character, and many hundreds of rolls contained the very matter which would have enabled us to explain clearly the difficult problem connected with the lands of the kingdom in the twelfth and thirteenth centuries.<sup>69</sup>

In preceding pages the defensive structures which the people erected for their self-preservation and security in the earlier periods, such as the hill-forts, crannogs, and brochs, were described. During the period under consideration a new form of defensive work was gradually introduced, usually called the Norman type of castle. The earliest remains of castles of this style in Scotland belong to the thirteenth century, and the best examples of them were the castles of Hermitage, Lochindorb, Bothwell, Kildrummy, Caerlaverock, and Dirleton. These appear to have been built in the later half of the thirteenth century. Massive walls of enormous strength were the chief features of these structures ; but they presented little distinctive art

<sup>69</sup> *National MSS. Scot.*, Pt. I., No. 74. The document containing the lists of these lost Records was also printed in the first Vol. of the *Acts of Parliament of Scotland*.

characteristics, as strength and defence was the original idea and end contemplated by their owners.

At the time of Haco's invasion the royal castles on the coasts were inspected, and their stores and defensive appliances increased. On the eve of the outbreak of the War of Independence, the castles held by the Crown numbered about thirty. In the southern quarter of the kingdom there were the castles of Berwick, Roxburgh, Jedburgh, and Edinburgh; inward and westward the castles of Kirkcudbright, Wigtown, Dumfries, Dumbarton, Ayr, Tarbet, and the important fortress of Stirling; northwards the castles of Dundee, Forfar, Kincardine, Aboyne, Cluny, Aberdeen, Banff, Elgin, Nairn, Forres, Dingwall, Cromarty, and Inverness; in the island of Bute the royal castle of Rothesay, which was erected early in the thirteenth century, and several others. There were also a number of castles in commanding positions in the hands of the nobles; and besides these there were a considerable number of partially fortified dwelling-houses.<sup>70</sup>

The greater part of the houses in the burghs and the villages were built of wood, or other materials which could easily be procured. Being built of such combustible materials, they were very liable to catch fire, and, as might be expected, great fires frequently occurred; in the year 1244 several of the burghs were almost entirely consumed by the flames.<sup>71</sup>

Reference was made in the Introduction to the early types of churches. These primitive structures were succeeded by the regular church architecture of the twelfth and thirteenth centuries. The chief characteristic of the churches of the twelfth century was massive masonry, short round pillars, semi-circular arches in windows and doors, which sometimes inclined to the horse-shoe form; at first the style was simple and comparatively plain, but it became excessively ornamented. A number of specimens and fragments of this style remain, such as the nave of the Abbey of Dunfermline, which was dedicated in 1150; the Cathedral of Kirkwall founded in 1138, which was many years in process of building, and the structure of which exhibits the characteristics of the earlier and later styles. A part of the abbey church of Jedburgh, and the church of Leuchars, in Fife-

<sup>70</sup> *Exchequer Rolls Scot.*, Vol. I.; *Hist. Doc. Scot.*, Vol. I., pp. 241, 263, *et seq.*

<sup>71</sup> *Acts Parl. Scot.*, Vol. I.; *Ancient Laws of the Burghs of Scot.*, pp. 14, 24, 40.

shire, belong to the early style; the monastery of Kelso, some portions of a few rural churches in the district of the Merse, and parts of the monasteries of Holyrood, Arbroath, and the small chapel of St. Margaret in the Castle of Edinburgh.<sup>72</sup>

In the thirteenth century the prevailing style of church architecture in Scotland was that which has usually been termed the early English or the first pointed period. This was the great church building era in Scotland; it was then that the fine old churches were erected, the very ruins of which attest the skill and the excellent workmanship of their builders. To this period the cathedrals of St. Andrews, Glasgow, Brechin, Dunblane, Whithorn, Dornoch, and a portion of the cathedral of Elgin, belong; the abbey churches of Paisley, Arbroath, Coldingham, Kilwinning, Restennot, Dundrennan, Ferne, Cambuskenneth, Inchmahome, Sweetheart, and Pluscardine, were either erected or begun to be built in the thirteenth century, for it must be observed that these fine structures were not rapidly built, as some of them were fifty years, and even much longer, in building from the date of their foundation till their completion.

The distinctive characteristics of the style of these churches were the pointed arch, tall pillars clustered round a circular pier, often divided by one or more bands, and with capitals, sometimes plain or usually worked in profuse variety; long and narrow lancet-headed windows, bold buttresses—in some examples unbroken, and in others divided into stages; the roofs were high pitched, and, when of stone, groined, and the crossings richly ornamented with bosses, but wooden roofs were common; in the later specimens of the style high steeples appeared. But a clear and just conception of the architectural features, the symmetry, and the beauty, of these buildings can only be obtained by actual observation of the structures themselves. For instance, the Cathedral of Glasgow externally is not a very striking building, but if a person enters and looks through its interior he will see one of the finest sights even yet to be seen in that great city. The massive ruins of the monastic buildings in Arbroath, and in other places mentioned above, the parts of the walls of the Cathedral of Elgin, still standing; and the Abbey Church of Paisley, with its sounding aisle, amply attest the architectural skill and taste, and the excellence of the workmanship of the period; and withal, they remain as the visible emblems of the veneration and devotion

<sup>72</sup> Muir's *Characteristics*; Walcott's *Ancient Church of Scot.*, 1874.



of many generations of our ancestors, and recall the memory of the departed worth and greatness of the mighty dead.

As yet the internal means of communication were extremely defective. In most parts of the country the roads were little better than mere tracks for cattle, and pack-horses and packmen were employed to carry goods through the kingdom. The bridges were mostly all built of wood. There was a bridge over the Forth at Stirling, frequently mentioned in the laws of the period ; one over the Tay at Perth, one over the South Esk at Brechin, and another over the North Esk. There were three bridges over the Dee, one near Aberdeen and two farther up the river, and one over the rapid Spey in 1224.

A considerable part of the land was under tillage, but the system of agriculture was primitive and rude. Large herds of cattle, sheep, goats, and swine, were reared, and some attention seems to have been given to the breeding of horses. Dairy produce became a staple article of domestic economy, and upon the Crown lands large quantities of cheese were annually produced. David I. granted to the monks of Kelso the tenth of the cheese which the Crown drew from Tweeddale, and to the monks of Scone he gave the tenth of the can of his cheese from the Crown lands of Gowrie, Scone, Cupar, and Forgrund, and similar grants were made to other religious houses. It appears from the records of the monasteries that poultry formed a branch of the farm economy of the period. In the reign of Malcolm IV., on the feast of All-Saints the monks of Scone received ten hens from each ploughland within their territories, and the abbot of Kelso one hen from every house on the lands of the monastery, for which he paid a halfpenny.<sup>73</sup>

The principal grain crop was oats, though barley and wheat, pease and beans, were also grown. Wheat was chiefly raised in the southern counties and the lowlands of Morayshire. Large quantities of oats were ground into meal. Mills were numerous, and driven both by water and wind, although the hand mill was still used. The royal burgh communities placed restrictions on hand-mill grinding, and they enacted that no one should presume to grind wheat, mixed grain, or rye, with hand-mills, unless compelled by a storm or a scarcity of mills ; and if any one dared to contravene this he was de-

<sup>73</sup> *Exchequer Rolls of Scot.*, Vol. I. ; Registers of Scone, Kelso, and the Priory of St. Andrews.



prived of his hand-mills for ever, "and shall grind his malt at mills paying the 24th measure." The mill was one of the oldest rights of a barony, and it was amplified by the addition of the multure dues and the sucken. Subsequently the people were thirled to the mill, which meant that all the inhabitants of the barony must send their corn to be ground at the barony mills. The people of the barony often fought with each other as to their round and order of service. One part of the service connected with the sucken was the bringing home of the mill-stones. "Considering that there were few or no roads, the simplest arrangement was to thrust a beam through the hole, and then for the whole multitude to wheel it along upon its edge—an operation of some difficulty and danger in a rough district." The barons' mills, with their multure and dues, became one of the most grievous forms of feudal oppression.<sup>74</sup>

A large quantity of grain was malted to make ale. The brew-houses were numerous, and have continued to be so. Every barony and every monastery had their brew-houses attached to them, and malt-ale held a primary place in the domestic economy of the community. The burghs were extremely jealous of the rights of brewing, and sometimes attempted to restrict the number of brew-houses. They enacted "that no one without the burghs shall have a brew-house unless he have a pit and gallows, and then one brew-house only."

In the reign of Alexander III. the crown lands were extensive and valuable, especially in the north-eastern district of the kingdom. Of these lands a portion was forest, another portion was domain directly in the king's hands, and cultivated by his bondmen, who seem to have been yearly tenants. These bondmen, according to my interpretation, were the descendants of the real owners of these lands, who were dispossessed in the reigns of David I. and his two grandsons by the feudal processes and expedients indicated in preceding pages. The free tenants held the land on lease for a stipulated number of years or as life renters at a fixed annual rent. A large portion of the Crown lands was held under thanage; thethane of the thirteenth century in Scotland was a Crown vassal, and held his land under a tenure called feu-farm.<sup>75</sup> At a later period thanages were converted

<sup>74</sup> *Ancient Laws of the Burghs of Scot.*, pp. 74, 85; *Innes' Legal Antiq.*, pp. 47, 48.

<sup>75</sup> *Exchequer Rolls of Scot.*, Vol. I., pp. 8, 10, 11, *et seq.*

into feudal holdings for knight or military service. The bondmen were the actual tillers of the soil, and the class above them—the free farmers on the Crown lands—probably lived in easy and comfortable circumstances.

The organisation in feudal earldoms and baronies has been already explained. So far as ascertained, it appears that there was no class of free tenants or farmers holding land by a lease for a term of years at a fixed annual rent on the territories of the real feudal barons. Under them as on the Crown lands, the actual cultivators of the soil were bondmen or serfs—the descendants of the real owners and occupiers of the land, who were dispossessed by the feudal processes and expedients resorted to in the reigns of David I. and his two grandsons. Some of the class of bondmen may have held land from year to year under the feudal barons, but then they were merely tenants at the will of their masters. There seems to have been at least two grades of bondmen: one being attached to the land and transferred along with it when the ownership of the land was changed: the other grade were actual slaves, inasmuch as they could be bought and sold individually apart from the land, like any other article of merchandise; and instances of such sales of slaves frequently appear in the records. If they escaped and ran away, then there were minute legal processes for retaking and reclaiming them in any quarter of the kingdom, and replacing them in the hands of their owners.<sup>76</sup>

The fullest account of the agriculture of the period occurs in connection with the church lands, where perhaps the most favourable side of the rural people appear. According to a rent roll of the lands belonging to the monastery of Kelso, about the year 1290, the monks had extensive territories which were mostly held in their own hands and cultivated from their granges. Their arable land was measured

<sup>76</sup> *National MSS.*, Pt. I., Nos. 30, 37, 54, 58, 59; *Acts Parl. Scot.*, Vol. I. *Charters of Holyrood Abbey*; *Register of Dunfermline*. I entirely dissent from Dr. Skene's unwarranted inference to the effect that these feudal bondmen and serfs were merely similar in position and characteristics to the servile class in Celtic times in Scotland. One would wish to see some evidence adduced that such bondmen and serfs existed in Scotland before the twelfth century. These serfs and bondmen were created by the processes of feudalism in connection with the land and in no other way; thus the land of Scotland belonged to the Celtic people at the close of the eleventh century, but ere the end of the succeeding century the Celtic people were dispossessed of the greater and best part of the land, which was given to Norman nobles, to the Church, and retained in the hands of the kings. What else could have resulted but the reduction of the original owners to serfdom? *Celtic Scotland*, Vol. III., pp. 220-223.

in ploughgates, husbandlands, and oxgates; and pasture was measured by the number of sheep which it sustained. An oxgate was thirteen acres; and the husbandman who kept two oxen for the common plough, had thus twenty-six acres, which was called a husbandland; four of these neighbours joined in working their common plough, and their whole land made a ploughgate, which meant the extent of land tilled by eight oxen, or one hundred and four acres. A davoch of land in the eastern counties was four hundred and sixteen acres, or four ploughgates. On the western coast of the Highlands and in the islands, the lands were designated as mark lands, half-mark lands, and penny lands; a mark land contained thirty acres and two thirds of an acre, and so in descending ratio to half-mark, and penny lands.

At the grange or farmstead of the abbey, the chief home on each estate, the cattle, the implements, the stores, and all the requisites for the cultivation of the land were housed, the bondmen and the serfs who tilled it, and their families. The serfs were the lowest class of the community of the grange, and they were transferable like the land which they laboured, and could be caught when they attempted to escape like runaway sheep or oxen. The cottars were the next class above the serfs; and each cottar had from one to nine acres of land along with his house, for which he paid a small sum in money, and services in seedtime and in harvest; some of the cottars had no land, but this seems to have been an exception to the general system. Beyond the cottar's huts stood the establishments of the husbandmen, each of whom lived in his own separate farmstead. The husbandmen held a definite portion of land for which they paid a fixed rent, and specified services, which consisted of work in harvest and sheep-shearing times, and carrying the wool and the peats of the monastery. Another and higher class of tenant held his lands by charter, and could not be ejected; his holding was usually small, for fifty-two acres of land he paid eight shillings of annual rent, and specified services in ploughing and in harvest work. As already mentioned, the next and highest class of church feudal vassals were almost equal in rank and wealth to the lesser barons and freeholders of the Crown.<sup>77</sup>

In the thirteenth century the monks of Kelso had very large flocks

<sup>77</sup> *Register of Kelso*, pp. 460-463; *Innes' Legal Antiq.*, p. 243. In Northumberland the farming of the monastery was similar to that of Tweeddale. The monks of Hexham had numerous and large estates mostly in Tindale-ward. Among the benefactors of this monastery we find King David of Scotland, his son, prince

of sheep, more than 6,600, and considerable numbers of oxen, cows, and swine. The monks of Melrose also had pretty large herds of cattle, sheep, and swine, and it may be reasonably inferred that the other great monasteries were equally rich and powerful in relation to the desirable things of this world.<sup>78</sup>

In concluding this chapter let us recapitulate. The government, the introduction of charters, the powers and privileges granted to the Norman nobles in connection with the land and the people, and the organisation of feudalism, have been explained. The customary law of the country appeared to be passing into crude written forms. The prevailing forms of trial, the modes of punishment, and the privileges associated with sanctuaries, have been treated; and it was pointed out that the conception of justice was not as yet distinctly discriminated from the feeling of revenge. The incorporation of the burghs, their internal organisation and characteristics, have been explained, and burghs of regality and church burghs were noticed. The coinage and the commerce of the kingdom, the progress of industry and of art have been indicated. The re-organisation of the Church, the introduction of regular orders of monks into the monasteries, the literature and schools of the period, and the castles and church architecture have been briefly treated. Finally, the state of agriculture, and the social condition of the occupiers and tillers of the soil came under review, different ranks of holders and occupiers of land were indicated, and it appeared that in the processes associated with the introduction of feudalism a great number of the people had been reduced to an abject state of bondage and serfdom. Although material wealth, commerce, and internal organisation, had progressed considerably during this period, still the condition of society was unsatisfactory; the people were vigorous, and if external oppression had not been so severe, civilisation would have advanced at a more rapid pace.

Henry, and his grandson William the Lion, granting lands to it in Northumberland. At Hexham as at Kelso, the monks farmed a portion of their lands themselves; under them there were the husbandmen, who held a varying extent of land; the cottars who held a portion of land, usually under five acres, some had only one, others two or three. The annual rent of these lands belonging to the priory in Northumberland, ran from a sixpence to a shilling per acre. The annual rent of a cottage was from eighteenpence to two shillings; but in addition to this there were services which the tenants had to perform, such as a few days' work at the mill or at hedging, in no case, however, were the services burdensome. *Black Book of Hexham*, Pref., pp. 15-20, 86. <sup>78</sup> *Register of Kelso*.



## CHAPTER V.

*Disputed Succession. War of Independence.*

ON the death of the Maid of Norway the nation found itself without an heir to the throne in the direct line of succession, and the signs of a contest soon appeared. As soon as the tidings of the Queen's death became known, the Earls of Mar and Athole began to muster their army, while Robert Bruce had surrounded himself with a body of his followers and was moving through the kingdom and intently looking for more supporters. At this crisis of the nation's destiny William Fraser, Bishop of St. Andrews, thought fit to counsel Edward I., and distinctly suggested that he should interfere in the affairs of Scotland, and at once advance towards the Border. Fraser may have wished to prevent the shedding of blood in Scotland, as he said, but it is obvious that the bishop had utterly misunderstood the character of the man whom he assumed to advise.<sup>79</sup> Indeed, Edward I. needed no invitation; he had already resolved to decide the fate of Scotland, formed his scheme, chosen his own path, and directed his energy to its accomplishment with great deliberation, while the current of events seemed exceedingly favourable to him.

Edward I. issued writs commanding his barons to attend him with horse and arms at Norham on the 3rd of June, 1291; thus he prepared for any emergency which might arise; while he invited the Scotch nobles and clergy to a conference at Norham on the 10th of May, to which they agreed. As yet Edward was proceeding with well studied policy, smoothing his way, and the documents then sent into Scotland were couched in the most courteous terms. The conference assembled at the appointed time, and the business was opened by an address from the Chief Justice of England. His Lordship strongly asserted that Edward I. was the overlord of the kingdom of Scotland, and therefore he earnestly appealed to the Scots to acknowledge this, that the settlement of the great matter

<sup>79</sup> *National MSS. Scot.*, Pt. I., No. 70.



before them might be facilitated. The Scots replied that they were not aware if such a right of feudal superiority belonged to him, and requested time to consult with the absent nobles, the clergy, and the community of the kingdom, before giving an answer. Three weeks were allowed to them, and then all were to reassemble at Norham. A clear answer was to be given on the question of the superiority of Edward I., and all those demurring to it or in any way opposing it, were requested to produce the documents or other evidence on which they founded their objections. The adjournment was favourable to Edward, as it tended to bring into prominence the real difficulties associated with the case.

At the appointed time the meeting assembled on a green plain opposite the Castle of Norham, and eight claimants for the crown of Scotland appeared, namely, John Baliol, Lord of Galloway; Robert Bruce, Lord of Annandale; Lord John Hastings; John Comyn, Lord of Badenoch; Patrick of Dunbar; Earl of March; Florence Count of Holland; John Vesey for his father, Nicholas Soulis; and William Ross, and they were accompanied by many of the nobles and clergy. None of these claimants were very near in relationship to the royal line of the Scottish kings; the three first names in the list stood nearest and their claims were almost equal. Thus David, Earl of Huntingdon, was a grandson of David I., and a younger brother of Malcolm IV. and William the Lion. This Earl David, as stated in a preceding note,<sup>80</sup> had three daughters, Margaret, Isabella, and Ada, and John Baliol claimed as a grandson of Margaret, the eldest daughter; Robert Bruce claimed as a son of Isabella, the second daughter; and John Hastings claimed as a grandson of Ada, the youngest daughter. So it was seen, at an early stage of the proceedings, that the real contest for the crown would lie between these three claimants. An interesting and peculiar characteristic of the whole of these claims for the crown was that they had all originated from marriages with females, who were related to the royal family of Scotland, and it must be admitted that in the art of contracting marriages the Norman nobles were really great men.

The Bishop of Bath began the business of the meeting by reading the King's speech, which, after referring to the unhappy state of Scotland, proceeded in a fine flowing style to characterise the benignity of the illustrious prince who had come to her rescue. He then said

<sup>80</sup> Under p. 204.

that his royal master had allowed three weeks to the nobles and clergy of Scotland to bring forward whatever they could to impugn King Edward's right of superiority over that kingdom, and they had adduced nothing to invalidate it. But, in connection with this emphatic statement, one important fact has recently been brought to light, for a contemporary record proves that the community of Scotland lodged an answer in writing against Edward's claim and demand of feudal superiority; although it was not deemed relevant by Edward, as it was more convenient for him and the claimants of the Crown to ignore the people. The claimants, in their feverish heat to reach the throne, seem to have utterly forgotten that there was a community in the kingdom. When all disturbing questions were brushed aside, Edward announced that his title of Lord Superior was undisputed, and therefore he intended to act in that character. Robert Bruce was then asked whether he was willing to prosecute his claim to the Crown of Scotland in the Court of the Lord Superior; and Bruce, in the presence of the meeting, expressly recognised Edward as Lord Superior, and agreed to abide by his decision. The same question was put to each of the claimants, and they all consented without reserve to the demand of Edward, and immediately sealed their consent by letters patent.<sup>81</sup>

None of the Scotch nobles or clergy entered any protest, and they appear to have acquiesced in the proceedings and the result of this meeting. The claimants then proceeded a step further in the pursuit of their object, and in order that justice might be done to their claims, they at once made Edward Lord Superior of Scotland in reality. Thus:—"Inasmuch as the aforesaid King of England, cannot such manner of cognisance make and accomplish with judgment, and that judgment ought not to pass without execution, and that execution he cannot do in due manner without possession and seisin of the same lands and castles; we will, concede, and grant that he, as Sovereign Lord to perform the things aforesaid, have seisin of all the lands and castles of Scotland till right be done and performed to the claimants."<sup>82</sup> It appears that the claimants of the Crown, and the nobles and clergy present at the meeting, actually transferred, or rather sold, the kingdom to Edward I.

The new Lord Superior did not let his powers lie dormant. He

<sup>81</sup> *Hist. Doc, Scot.*, Vol. II., pp. 227, 228; Rishanger's *Chron.*, pp. 240-245, 250.

<sup>82</sup> *National MSS. Scot.*, Pt. I., No. 71.

immediately commanded that all the castles in the kingdom should be surrendered into his hands ; he reconstituted the government of the country, and appointed an Englishman to advise it ; and the old seal of Scotland was broken into four pieces, and a new one made, more suited to the changed circumstances. A herald then proclaimed the peace of King Edward, as Lord Paramount of the Realm.

He next commanded the guardians of Scotland to exact from the Scots the oath of allegiance to him as Lord Superior of the kingdom. Stations were fixed where attendance should be given, and the swearing-in process began on the 23rd of July, 1291, and was continued for fifteen days. Edward himself visited many of the stations, proceeding by Edinburgh, Linlithgow, Stirling, Perth, Dumfermline, Kinghorn, and St. Andrews, and called upon all ranks to sign the rolls of homages as the vassals of their illustrious Lord Superior. All those who were refractory, were coerced by imprisonment and other punishments;<sup>83</sup> and Edward was silently rejoicing over the great victory which he had so easily gained.

In 1291 eleven meetings were held, the first one in May and the last in August ; and the places of meeting and all the proceedings were stated in the records with the greatest minuteness, so that everything connected with the cause, and especially the supreme position and the functions of the Lord Superior, should be placed beyond question. At the meeting held on the 3rd of August, Edward intimated that Bruce and Baliol should each select forty men as commissioners, while he should choose twenty-four or more if he thought fit ; and these commissioners were directed to meet in a body and consider the claims of the candidates for the Crown, and report to the king. At this meeting twelve candidates for the Crown appeared and entered their claims ; and Edward requested the commissioners to consider them all attentively, and render their report to the next meeting, to be held on the 2nd of June, 1292.<sup>84</sup>

This long adjournment was a fine politic move. As its apparent object was to give the commissioners ample time to consider the claims of the candidates in relation to the cause, while it answered the important purpose of accustoming the Scotch nobles and clergy to look to Edward as their great Lord Paramount. For similar reasons Edward welcomed all grades of claimants, and consequently

<sup>83</sup> Rishanger's *Chron.*, pp. 250, 252 ; Hailes' *Annals*, Vol. I., pp. 226-229.

<sup>84</sup> Palgrave's *Documents*.

several of those who came forward and claimed the Crown were illegitimate descendants of the kings of Scotland. But seeing that every claimant had a body of feudal followers, and as the first step of each claimant was to recognise Edward as his Lord Superior, and render homage to him as such, every new claimant thus strengthened Edward's position.

When the commissioners re-assembled on the 2nd of June, 1292, a new claim was entered by Eric, King of Norway, the father of the deceased Maid of Norway; but his claim was not pressed, and judgment passed against him by default. Indeed, it was then well known that the real struggle was virtually between Bruce and Baliol, with a possible chance for Hastings. The proceedings of this meeting assumed the form of an admirable piece of acting planned by Edward I., and well performed by the Scotch commissioners. The king first asked the Scotch commissioners to inform the Court by what laws and customs judgment should be given. They answered that, owing to difference of opinion among themselves, and the importance of the cause, they were unable to come to a conclusion without deliberation, and therefore they sought the opinion of the English commissioners, but they also declined to commit themselves till enlightened by an English parliament. Edward then adjourned the meeting to the 15th of October, 1292, and declared that meanwhile he would consult the learned all over the world.<sup>85</sup>

The assembly which met at Berwick on the 15th of October settled some preliminary points, one of which was that the succession to the Crown of Scotland ought to be decided in the same manner as the succession to earldoms, baronies, and other indivisible inheritances. Bruce and Baliol were then heard in turn at great length in support of their claims. Bruce determinedly insisted that his right to the Crown had been recognised in the reigns of Alexander II. and Alexander III., and urged that his claim was supported by the custom of succession to the Crown of Scotland. Baliol's claim was well and adroitly argued, and a touching reference made to the supremacy of the Lord Paramount's court. After the two claimants were heard, Edward requested his council and the commissioners to answer this question:—"By the laws and customs of both kingdoms, ought the issue of an elder sister, but more remote by one degree, to exclude the issue of the younger sister, although one degree nearer." The

<sup>85</sup> *Fœdera*, Vol. I., p. 777; Hailes' *Annals*, Vol. I., p. 235.



council answered in the affirmative, which was in favour of Baliol's claim. Other meetings were held before the final decision was given, and at one held on the 6th of November, Edward announced that Bruce was out of the contest as a claimant against Baliol. John Hastings immediately advanced his claim for one-third of the kingdom, on the reasonable ground that it was divisible like any other feudal fief. Bruce then presented a second claim for a third of the kingdom of Scotland. Hastings and Bruce in turn pleaded against Baliol that the kingdom ought to be divided into three parts, the same as other feudal fiefs and baronies, and on this ground they argued their claims to an equal division of the kingdom amongst them at great length: and according to feudalism they were right. But the most peculiar feature of the proceedings was the complete elimination of any reference to the people of Scotland. It seems never to have occurred to the grasping claimants that there lived amongst the valleys and mountains of Scotland a strong-willed race, habituated to independence and freedom, whose spirit must be broken ere even the decision of the great Lord Superior could be of much avail.<sup>86</sup>

On the 17th of November 1292, in the castle of Berwick, and in the presence of a large assemblage, Edward delivered judgment in favour of Baliol. The vassal King then rendered homage to his Lord Superior, and orders were issued to invest him in his feudal fief. These points and formalities were performed and recorded with great care and minuteness, that the process and the rights of the Superior of the fief might be placed beyond question. Baliol then proceeded to Scone to be crowned, with a warrant from his Lord Superior authorising the ceremony, which was accordingly performed on the 30th of November. Shortly after he passed into England, and there concluded the last act of the drama by rendering homage to Edward I. as the invested vassal King of Scotland.<sup>87</sup>

When Baliol returned to his kingdom he found himself among a people little disposed to submit to him or his Lord Paramount. If at any moment he had fancied himself fortunate in attaining to the throne of Scotland, he was speedily and rudely disabused. It does not appear that he was gifted with much talent, while he was thwarted at every turn as an unwelcome master. Indeed, it was rumoured that

<sup>86</sup> Rishanger's *Chron.*, pp. 309-356.

<sup>87</sup> *Ibid.*, pp. 357, 358; also *Ragman Rolls*.



the poor man was in terror of his life, as he was now far away from his great lord and benefactor ; yet he seems to have begun his reign with proceedings intended to benefit the kingdom. He passed an Act in February 1293, which divided the district of Argyle for administrative purposes, and re-arranged the sheriffdoms thus :—The sheriffdom of Skye was to include the western portion of Ross (then north Argyle), the lands of Glenelg, the lands of Garmoran, and the isles of Eig and Rum. The sheriffship of Lorne was to include the lands of Ardnamurchan and Morven, the lands of the Lord of Lorne, and other lands ; the sheriffdom of Cantyre was to include the lands of Cantyre and the island of Bute.<sup>88</sup> But Baliol's prospects of a successful reign were soon blasted.

The Lord Superior shortly had an opportunity of exhibiting his power, and he placed the vassal King in a most humiliating position. It had become known that the king's courts were no longer supreme, as there was a higher authority which might reverse their decisions. A citizen of Berwick appealed to the Court of Edward I. against a judgment of the late administrators of Scotland ; it was simply a dispute about money, and Baliol remonstrated and maintained that the appeal should not be entertained. But Edward returned a crushing reply to his vassal, and, in effect, told Baliol that he had determined to exercise direct dominion over the kingdom of Scotland whenever and wherever he thought fit. Edward was prepared to try all appeals from Scotland, and it was made a condition that Baliol should appear in person before the English courts. Macduff appealed to Edward against a judgment of the Scotch Parliament, touching lands of the Earl of Fife, and Baliol was summoned to appear and answer the statements of Macduff. The appeal came before the English Parliament on the 15th of October, 1293, and Baliol was then asked what defence he had to offer ; but he declined to answer. "What means this," said Edward I. "You are my vassal, you have done homage to me, you are here in consequence of my summons." Still Baliol declined to make any answer to the appeal ; so the Parliament declared that he was a contumacious offender, who had not shown due respect to this august assembly. Accordingly it was proposed to deprive him of the means of wrong-doing by taking three of the chief castles of Scotland into the hands of the Lord Superior, until his vassal, King John, should render proper satisfaction.<sup>89</sup> The hapless

<sup>88</sup> Rishanger's *Chron.*, p. 371 ; *Acts Parl. Scot.*, Vol. I., p. 91.

<sup>89</sup> *Hist. Doc. Scot.*, Vol. I. pp. 377, 389 ; *Acts Parl. Scot.*, Vol. I. p. 89.

king crouched and returned to Scotland, where other stirring events soon followed.

In 1294 a quarrel arose between the King of France and Edward I., touching their feudal relations. Philip IV. of France was then exerting all his energy to extend and consolidate his kingdom, and the occurrence of an opportunity to insult his feudal vassal, the King of England, was simply the first step towards the annexation of Edward's possessions on the opposite side of the Channel to the Crown of France. Edward knew this very well, and summoned his army and prepared for war to the knife.<sup>90</sup> He also summoned his own vassal, King John, and the Scotch nobles, to assist him in the French war; but instead of obeying and joining his army, they held a Parliament at Scone. They dismissed all the Englishmen from the court, and appointed a committee of twelve members, consisting of four bishops, four earls, and four barons, by whose counsel the King was to conduct the government.

The kingdom was rapidly drifting into a perilous position. Negotiations were opened with France, and in October 1295, a treaty between France and Scotland was concluded. A clause of the treaty provided for the marriage of Baliol's son to a niece of Philip IV., and the King of France engaged to assist Scotland in the event of an English invasion by sending a French force or by making a diversion; while the Scotch King undertook to send an army across the border whenever England was at war with France. This was the commencement of a line of policy which had a considerable influence on Scotland for the three succeeding centuries.

The Scotch nobles by their disobedience and overt acts had broken their allegiance to their Lord Superior; and that clause of the new treaty touching the invasion of England was quickly put into operation. They mustered an army, which, under the command of Comyn, Earl of Buchan, invaded Cumberland in March 1296, and wasted the country; and shortly after they made another raid into Northumberland.<sup>91</sup> These raids in the circumstances of the kingdom were extremely unwise, as the Scots were thus placed in the position of aggressors. To wantonly provoke a contest with England, which under any circumstances must have been an unequal one, but specially so as the nation then stood, with a vassal king and a divided and disorganised nobility, was most deplorable policy. At the out-

<sup>90</sup> Crowe's *Hist. of France*, Vol. I, pp. 306-308.

set many of the feudal leaders of the people deserted, and thus left the people in a helpless and hopeless position ; while Edward I. had not only a numerical superiority of fighting men, but also acted with great energy and decision.

In the spring of 1296, Edward I. marched northward with a large and well-equipped army ; but he was anxious still further to increase its ranks, and on the 11th of April he issued a writ inviting all grades of men to join his army against Scotland. Criminals of every description, homicides, murderers, and robbers, all were requested to place themselves under his banner. He had determined to pounce upon Berwick, then the richest town in Scotland. The citizens naturally resisted his attack, but they were soon overpowered, and without distinction of age or sex were put to the sword, eight thousand of the inhabitants being ruthlessly massacred. The town was utterly ruined. A party of thirty Flemings posted themselves in their factory, a strong building which the resident merchants of that nation were under obligation by their charter to defend against the English : and faithful to their contract these heroic men held out till evening against the English army, when their assailants, enraged by the determined defence, set the building on fire, and every one of its brave defenders perished amid the flames.<sup>92</sup>

Edward formed a ditch, and threw up defensive works round Berwick. On the 5th of April he received from the Abbot of Arbroath Baliol's renunciation of his allegiance to his Lord Superior. This document enumerated the outrages and robberies inflicted on the subjects of Scotland on sea and land, and concluded with a declaration that Baliol had resolved to fight against Edward I. in defence of his kingdom. But John Baliol had little ability or energy, and he was placed in trying circumstances. Accordingly no effective resistance against the invader was offered at any point. From Berwick Edward proceeded towards Dunbar, the key of the eastern marches. A Scotch force had mustered to defend it, but on the 26th of April they were attacked, dispersed, and defeated, and many of them slain or taken prisoners. The castle of Dunbar then fell into the hands of the English, and the Earls of Athole, Monteith,

<sup>91</sup> *The Chronicles of the Priory of Hexham* contains an account of these Scotch raids, accompanied with the usual lamentation about the cruelty of the Scots.

<sup>92</sup> Rishanger's *Chron.*, pp. 373, 374 ; Hailes' *Annals*, Vol. I., p. 258, *et seq.*

and Ross, and a number of barons, submitted to Edward, and all the prisoners of rank were conveyed to England and imprisoned.<sup>93</sup>

Edward I. having destroyed Berwick, scattered the Scottish army, and taken the castle of Dunbar, now proceeded rapidly with his work. The castles of Roxburgh, Jedburgh, and others on the line of his march were surrendered to him. He reached Edinburgh on the 6th of June, and attacked the castle with all the appliances at his command, pelting it day and night for a week; after this it capitulated. He continued his triumphal progress to Linlithgow and onward to Stirling, crossed the Forth unopposed, and, proceeding by Perth, passed the Tay and entered Forfarshire. Baliol had fled northward before the advance of the conquering hero, and at the castle of Brechin, on the 10th of July, 1296, the vassal king came to his lord, like a criminal suing for mercy, and submitted to Edward's pleasure. Then the documents considered necessary to degrade and dispossess him were drawn up and signed, and Baliol and his son were sent into England as prisoners. Edward continued his progress advancing northward by Aberdeen and Banff, till he reached Elgin on the 26th of July; thence he returned by a higher route, calling at Rothes, Kildrummy Castle, and on to Brechin. Throughout this progress Edward and his army were actively employed in taking the personal oaths of allegiance from all classes of the people, the barons, knights, and churchmen of all grades, being specially called upon to record their allegiance and render homage to the Lord Paramount. There was then no evasion of this exaction, and all those who wished to escape imprisonment or death had no alternative but to render their allegiance to Edward I.<sup>94</sup>

When returning south Edward took away the Coronation Stone—the venerated Stone of Destiny—from Scone as he was extremely anxious to efface every vestige of the national and patriotic feeling of the Scots. He then proceeded through Fife, along the northern banks of the Forth, and reached Berwick on the 22nd of August. A few days later he held a council at Berwick, in which a number of Scotch nobles and clergy submitted to him, and their estates were restored to them. He then made arrangements for the government of the kingdom, and appointed John Warrene, Earl of Surrey, guardian of Scotland, Hugh Cressingham, treasurer, and William Ormesby, justiciary. The chief castles of the kingdom were com-

<sup>93</sup> *Hist. Doc. Scot.*, Vol. II., pp. 26, 27; Rishanger's *Chron.*, p. 375.

<sup>94</sup> *Hist. Doc. Scot.*, Vol. II., pp. 27, 59-61; *Ragman Rolls*.



mitted to the custody of English captains and garrisoned by English troops. Having thus settled everything, Edward proceeded home with the Stone of Destiny as a memorial of his conquest of Scotland, and a suitable offering to Edward the Confessor.<sup>95</sup>

The seemingly complete subjection and depression of the Scots under the heel of the invader was the result of easily understood circumstances, which have already been indicated. Edward I. obtained a footing in the kingdom through the disputed succession, and thereby gained a commanding influence over the chief Scotch nobles. Thus it occurred that many of those nobles who should have come determinedly to the front at this national crisis, as the natural leaders of the people, had joined the enemy, and left the people helpless and forlorn. But the native race of Scotland keenly felt their position, and the demeanour of the English soldiers aroused their ire. Hatred sprung up between them, and bitter strife reigned in the land. Edward I. instructed his chief officials to make the utmost efforts to extinguish the rising spirit of rebellion, and not to be sparing in the distribution of the King's favours and money. But Edward had misunderstood the character of those men whose spirit he wished to crush or corrupt; for his treasurer, Cressingham, replied to the King thus:—"Sir, you have told me not to be sparing of your favours. Sir, I neither am nor shall be, if God pleases, for few have asked for them, in consequence of the times, which have been troublesome."<sup>96</sup> It appears that Edward's favours and money would not answer the conditions which had arisen amongst the Scots.

At this perilous moment a hero arose to fight the battle of freedom and national independence. Wallace was the son of a small landed proprietor, one of those who had never sworn allegiance to Edward I. In his early years he was under the care of his uncle, an ecclesiastic in Stirlingshire, from whom he received the rudiments of a classical training, afterwards attending a school in Dundee for two years. He was gifted with rare mental faculties; tall in stature, with an athletic frame, and a commanding presence; his personal characteristics and sterling moral qualities won respect; while he was a military genius of a high order, and a man of remarkable political sagacity. He soon kindled in the heart of the nation an unquenchable spirit of resistance to oppression.

<sup>95</sup> *Ibid.*, pp. 30, 31 ; *Rotuli Scotiae*, Vol. I., pp. 29-35.

<sup>96</sup> *Hist. Doc. Scot.*, Vol. II., pp. 170-172, 227.



Wallace began his public career by attacking outlying parties of the English, and his followers increased with his success. Sir William Douglas, who had lands in Northumberland as well as in Scotland, was the first man of note to ally himself with the patriot. At length Wallace resolved to assail the English Justiciary, Ormesby, in his court at Scone. The Justiciary escaped with his life, but a rich booty, and some prisoners fell into Wallace's hands. Wallace and Douglas continued their attacks on the invaders; and they were soon joined by others, amongst whom were Sir Andrew Moray of Bothwell, the Stewart of Scotland, and Robert Wishart, Bishop of Glasgow: Robert Bruce, Earl of Carrick, grandson of the claimant of the crown, after some hesitation, joined the national party. Edward I. soon made Douglas feel his displeasure, for on the 12th of June, 1297, he ordered that the lands and goods in Northumberland belonging to Sir William Douglas should be seized and sold for the use of the king.<sup>97</sup> After Edward's government in the centre of Scotland had been thrown into confusion, Wallace and Sir Andrew Moray of Bothwell crossed the Tay for the purpose of recruiting and organising an army in the north-eastern and northern counties.

When Edward I. was told of the rising in Scotland he could not believe it, because so many of the nobles were with himself or in prison; he never even imagined that the Scots might attempt to act without nobles, and this lack of foresight to estimate the spirit of resistance among the people proved to be the missing link in Edward's scheme of conquest from its inception to its termination. He sent Beck, the Bishop of Durham, into Scotland to extinguish the rising, but Beck soon had to beat a retreat, and narrowly escaped with his life. When Beck returned Edward commanded the whole military force north of the Trent to muster and crush the rebellion. An army of forty thousand foot and three hundred cavalry entered Scotland under Henry Percy, and marched through Annandale and on to Irvine, where Robert Bruce and other nobles were lying in arms. As usual, these nobles were wavering and undecided, and sought to parley with the enemy, at last they concluded a treaty with the English authorities, by which they preserved their estates, pro-

<sup>97</sup> "The lands and tenements, the goods and chattels, in the county of Northumberland, belonging to Sir William Douglas, should be taken into our hands; if there be any corn or cattle, or any other stock whatever, besides the growing crop, to sell it without delay, and to enhance the price thereof to our use as much as possible." *Hist. Doc. Scot.*, Vol. II., pp. 176, 177.

mised to give hostages for their future conduct, and then dispersed, without striking a single blow. The treaty was signed at Irvine on the 9th of July, 1297, and those who agreed to it were Robert Bruce, Earl of Carrick ; James, the Stewart of Scotland ; his brother, John ; Alexander Lindsay, Sir William Douglas, and the Bishop of Glasgow. A copy of it was sent to Wallace and Andrew Moray but they disregarded it.<sup>98</sup>

Wallace was then recruiting and instructing men in the north-eastern counties beyond the Tay, and Andrew Moray of Bothwell was intently engaged in similar work farther north and in Strathspey. On the 17th of July 1297, Moray and his recruits, in a position protected by a bog and a wood in the valley of the Spey, repulsed the attacks and the utmost efforts of a body of Edward's cavalry and soldiers to dislodge them. Wallace and Moray worked with great energy in conjunction with each other and soon organised an efficient army. Wallace then attacked the castles, and many of them shortly fell into his hands. The castles of Aberdeen, Forfar, Brechin, and Montrose, were successively captured.<sup>99</sup> He had just begun the siege of the castle of Dundee when tidings came that the English army was marching on Stirling. Wallace at once saw his opportunity, ordered the citizens of Dundee to continue the siege, and hurried off with his army to guard the passage of the Forth.

Wallace posted his men on the rising ground which commanded the Bridge of Stirling. The English army, fifty thousand strong, under the command of John de Warrence, Earl of Surrey, lay on the opposite side of the river. When the English general observed the position of his enemy he tried to temporise, and sent forward messengers of peace ; but Wallace knew well the advantages of his position, and told the English envoys that he had resolved on battle,—“to set his country free.” On the 11th of September the enemy began to pass over the narrow bridge. When one half of the army had crossed it, Wallace, by a preconcerted movement, attacked the English in the rear, and intercepted between them and the bridge. When this was executed, the main body of the Scots instantly rushed down and assailed the forming lines of the English, throwing them into utter confusion ; a panic seized the whole army, and a headlong rout ensued. Many were drowned in the river, and many slain in the flight.

<sup>98</sup> *Hist. Doc. Scot.*, Vol. II., pp. 192-194 ; Palgrave's *Docum.*, p. 197.

<sup>99</sup> *Hist. Doc. Scot.*, Vol. II., pp. 211-213.

Surrey with the remnant of his army found shelter in the castle of Berwick where he remained for some months.<sup>100</sup>

This battle had the effect of clearing the country of the enemy, and all the castles were recovered. The Battle of Stirling in other respects was an exceedingly important event, as it raised the spirit of the people and gave them confidence in themselves, at the most perilous and trying crisis which had ever occurred in the history of the kingdom; and its result continued to have an inspiring influence upon the mind and feeling of the nation throughout all the subsequent stages of the struggle for national independence and liberty. Indeed, at Stirling Bridge, Wallace clearly read a significant lesson to the English as well as to the Scots; but unhappily the former were unwilling to learn it or even to recognise its meaning.

Wallace was anxious to promote peaceful industry, as the following circumstance shows: A document dated 11th of October 1297, was despatched to Lubeck and Hamburg, in the names of Andrew Moray and William Wallace, generals of the army of the kingdom and community of Scotland, thanking the friends of the country for their services, which the state of the kingdom had prevented the due acknowledgment, and informed them that commerce with the ports of Scotland would now be restored: "As the kingdom of Scotland, thanks be to God, has been delivered by battle from the power of the English."<sup>1</sup>

Shortly after the battle, Wallace retook the town of Berwick, but not the castle; and about the middle of October he advanced into Northumberland and plundered the country. The Scotch army remained in the north of England from the 18th of October to the 11th of November; and the English chroniclers described in a piteous strain the terror and misery which the Scots had caused amongst the inhabitants. As plunder was the object of the raid, no doubt the people of Northumberland and Cumberland had suffered severely. Wallace granted a protection in name of King John to the prior and convent of Hexham, which was to continue in force for three years; forbidding the Scots to injure any of the members of the convent under severe penalties. After the Scots retired, Lord Clifford led a raid into Scotland, and plundered Annandale, burned a hundred

<sup>100</sup> *Scotland in 1298*, by H. Gough, Intro., p. 1, *et seq.*, 1888.

<sup>1</sup> *National MSS.*, Part I.; *Doc. Illus. of Wallace*.

cottages, captured a few prisoners, and slew three hundred and eight of the Scots.<sup>2</sup>

In the end of the year 1297 Wallace was chosen Guardian of the kingdom of Scotland and leader of its armies, in the name of King John, and with consent of the community. He adopted measures calculated to secure order, to promote peaceful industry, and the commerce of the kingdom; he also made the utmost efforts to improve the organisation and discipline of the army. The body of the people acquiesced in his government, and he received considerable support from the clergy: still the condition of the kingdom was such that no individual exertion or sagacity could have placed it in a position to meet the recurrent exigences of the time. For the feudal organisation then prevailed in Scotland, and it could not be changed in a day or a year; while, with the King banished, some of the chief nobles lurking out of the way, others in prison, and some of them actually opposing the Guardian, the feudal system of defence itself could not be effectively worked. Thus considering the state of the nation, and the circumstances above indicated, it is surprising that Wallace achieved so much under such conditions.

Since the battle of Stirling Bridge, Edward I. had been making preparation for a great invasion of Scotland to crush the rising under Wallace. On his return from the Continent in March 1298, his troops, drawn from all parts of England and Wales, were mustered and concentrated as they advanced towards the borders; and when Edward I. reached Roxburgh on the 3rd of July, his army numbered 88,000 men, of which 8000 were cavalry. He advanced towards the Forth and proceeded by Lauder, but his progress was slow, as provisions were scarce and the position of his army critical. Some of his ships, however, having arrived in the Forth, he halted at Kirk-liston, and rested his troops for a week. Wallace with his small army could not think of facing Edward's vast host in the open field: his tactics were to protract the issue and render the advance of the enemy difficult; so he drove off everything which could be removed, and left the country behind him waste, in this way hoping to starve out the enemy. For a time he seemed likely to succeed; as we have seen

<sup>2</sup> *Chron. and Annals of Hexham*, Pref., Vol. I., pp. 80-85. "King Edward having gone to Flanders, and in his absence, the rebellious Scots under the command of the ribald William Wallace, ravaged Northumberland and Westmoorland, spearing neither age nor sex." Hemingford's *Chron.*, Vol. II., pp. 141-146.



above, the English army was suffering severely. At last, through treachery, Wallace was forced to give battle near Falkirk. As Edward received intelligence of the position of the Scots while his army was lying at Kirkliston, he immediately marched rapidly forward by Linlithgow, and on the morning of the 22nd of July he descried the Scots. The enemy was too near for retreat, as his eight thousand cavalry would have pursued and cut off the Scots, so that Wallace had no alternative but fight.

Wallace's whole force was under thirty thousand men, not a third part of the number of the enemy ; but he drew up his men in a form admirably fitted to resist cavalry charges. He formed his infantry into four solid circular bodies with their weapons pointing outward and crossing each other. His small company of archers, under the command of Sir John Stewart, were posted in the spaces between the circular divisions, and his one thousand cavalry were placed behind the circular bodies. After thus disposing his troops, Wallace was reported to have said to them : "I have brought you to the ring, do the best you can." The English had one hundred and eleven banners at the battle, and their army was marshalled in four divisions. The first division was commanded by the Earl of Lincoln, assisted by the Earls of Hereford and Norfolk; the second division was led by the famous Beck, Bishop of Durham; the third division was commanded by the King in person; and the fourth by the Earl of Surrey. The Earl of March, Patrick of Dunbar, fought in the second division of the English army; and it was March and Angus who informed Edward of the position of the Scots before the march to Falkirk. The Earls of Lincoln and Hereford first advanced to the attack, Bishop Beck following. They furiously charged the Scots; but the compact circles of the spearmen repulsed the onset of the enemy; and the cavalry charges were many times repeated but always repelled. Sir John Stewart, who led the Scottish archers, was thrown from his horse and slain along with many of his men around him. The Scottish cavalry did not come into action; still the spearmen held their ground and presented an unbroken front to the enemy. Edward then suspended the cavalry charges, and ordered his slingers and bowmen to the front; and this multitude of men poured showers of stones and arrows upon the circles of the Scottish spearmen, which at length disorganised them. Then the cavalry charges of the enemy were recommenced, and the spearmen, being assailed on every side, were ultimately defeated. About ten thousand of the Scots fell on the field of



Falkirk. Wallace retreated with the remnant of his army through the wood in the neighbourhood. Among the slain on the Scottish side, were Sir John Stewart of Bonkill, a younger son of the seventh High Stewart of Scotland, Sir John Graham of Dundaff, and Macduff, a grand-uncle of the Earl of Fife.<sup>3</sup>

Wallace continued his retreat by Stirling, thence the English slowly followed; and on the fourth day after the battle, they arrived and found the town deserted. Edward's victory was fruitless, as he was compelled to retire with his starving host for lack of provisions; and after visiting at Ayr, he proceeded southward to Carlisle. Immediately after the battle, Edward I. granted presentations to upwards of thirty benefices in Scotland, which included bishoprics and churches in the counties of Lanark, Selkirk, Peebles, Haddington, Roxburgh, Fife, Perth, Kincardine and Aberdeen.<sup>4</sup> He also gave the island of Arran to Thomas Bisset, and promised his own barons extensive lands out of the territories of the Scottish nobles. After making these and other arrangements calculated to secure his hold on Scotland, Edward returned to London in the beginning of December.

Shortly after the battle of Falkirk Wallace resigned the Guardianship of Scotland. After he had rendered Stirling and Perth useless to the enemy, he returned with a body of his followers to the Torwood, and thence followed on Edward's track. John Comyn of Badenoch and John de Soulis were elected Guardians, associated with William Lamberton, the Bishop of St. Andrews, who was a personal friend and supporter of Wallace, and Robert Bruce, Earl of Carrick. Lamberton intimated to the King of France that Wallace's protection at his court was requisite to the continuance of the alliance between the two kingdoms. Wallace proceeded to France on the service of his country, and endeavoured in every way to free the kingdom from the yoke of the invader and oppressor. It appears that he had intended to proceed to Rome to plead the cause of Scotland, as the following letter shows:—"Philip by the grace of God King of the French, to my loved and faithful agents, appointed to the Roman Court, greeting. We command you to request the Supreme Pontiff

<sup>3</sup> *Scotland in 1298*, Gough, p. 131, *et seq.*, and Intro., pp. 11, 12; Hemingford's *Chron.*, Vol. II., pp. 176-181.

<sup>4</sup> *Scotland in 1298*, Gough, pp. 239-246. This volume contains a vast quantity of interesting information, much of which is specially valuable to the genealogist.

to hold our loved William Wallace of Scotland, Knight, recommended to his favour in those things which he has to transact with him ;” dated on the 1st November 1298.<sup>5</sup> There is no direct evidence that Wallace actually went to Rome, but circumstantial evidence render it very probable that he had communications with the Pope touching the affairs and the position of Scotland.

Although Edward I. had made peace with France, he was somewhat embarrassed by the demands of his barons touching the great charter and the rights which they embraced every opportunity to claim ; still he continued his attacks upon Scotland. In 1300 he invaded the country ; but Wallace, who had returned from France, anticipated him, and marched from the Torwood into the southern counties, seized the castle of Tibbers, and other castles in Nithsdale. Edward took several castles in Dumfriesshire, and then besieged Caerlaverock castle, which, after a heroic defence against the whole English army, at last surrendered. He advanced into Galloway, but his foraging parties were often attacked and cut off by the Scots. After a campaign of five months, Edward returned to England without achieving any important result.

It was during this campaign that Edward I. was obliged to listen to one of the most severe and logical attacks which had as yet been made upon him, touching his claims of feudal superiority over the kingdom of Scotland. In the castle of Caerlaverock, about the end of August, the Archbishop of Canterbury acting as the Pope’s legate, placed a Bull from Boniface VIII. in the hands of Edward I., which was read in the presence of his assembled barons and knights. This remarkable document affirmed that Scotland owed allegiance to no one, save the Holy See. Boniface then charged Edward I. with violating all the liberties and the rights of Scotland, and proceeded to state—“that neither he nor any of his predecessors held over the kingdom any superiority ; since, when in the wars between your father Henry and Simon de Montfort, he requested the assistance of Alexander III., King of Scotland, acknowledged by letters patent that he received such assistance, not as due to him, but as a special favour. Moreover, when you yourself invited King Alexander to attend your coronation, you made the request as a matter of favour and not of right. When the King of Scotland rendered homage to you for his lands in Tynedale and Penrith, he publicly protested it

was rendered not for his kingdom but for these lands only, since, as King of Scotland, he was independent. Yea, further, when Alexander III. died, leaving an heiress to his Crown, a grand-daughter in her minority, the wardship of this infant was not given to you, which it would have been if you had been Lord Superior, but was given to certain nobles of Scotland elected for the office. Touching the negotiations for the proposed marriage between the Prince of Wales and the Maid of Norway, the Pope reminded Edward I. that he had then acknowledged the independence of Scotland; and it was singular that he submitted to negotiate if he had a right to command. Regarding the changes lately made on the rights and the liberties of Scotland, with the consent of a divided nobility, or the person whom Edward had placed in charge of the kingdom, these ought not to continue, as all had been extorted by force and intimidation. The Pope exhorted Edward, in the name of God, to at once liberate the bishops and the clergy whom he had imprisoned, and to remove all the officers and officials whom he had thrust upon the Scottish nation. Finally, Boniface said, if Edward imagined that he had any pretensions to the whole or any part of Scotland, let him send his proctors to me, and I will determine according to justice." On the conclusion of the reading of the Pope's letter, Edward started to his feet and exclaimed:—"I will not be silent or at rest, either for Mount Zion or Jerusalem, but, as long as there is breath in my nostrils, I will defend what all the world knows to be my right."<sup>6</sup> The result, however, was that Edward soon disbanded his army, and summoned a parliament to meet in February 1301, which, having met, framed an answer to the Pope's letter. In October 1300, he granted a truce to the Scots to continue till the middle of May 1301.

The truce was not strictly observed by either side. Edward made arrangements to secure his hold in every place where he had any footing, strengthened the garrisons of the castles which he held throughout the kingdom, and instructed the English residents at Perth, Ayr, Dundee, and Banff, to remain in these places till the termination of the truce. He released the Bishop of Glasgow from imprisonment only after he had renewed his allegiance. Edward I. seems to have had great faith in oaths and homages, but he forgot that there might be circumstances in which they were not binding.

<sup>6</sup> *Fœdera*, Vol. I. ; *Walsingham ; Book of Wallace*, Rogers, Vol. II., pp. 182-187,

In the summer of 1301 Edward advanced into Scotland with a great army, but the Scots managed to avoid a battle, so that the campaign was ineffective. He did not cross the Forth, and his army suffered severely from the scarcity of provisions and forage. In October he concentrated his troops at Linlithgow and Falkirk, collected stores there, and fixed his head-quarters for the winter at Linlithgow, where he erected a castle. He expected that his presence would overcome the Scots. Owing to the severe winter he lost a large number of his war-horses, and he discovered that his campaign was attended with enormous expenditure. On the 26th of January, 1302, on the suggestion of France, Edward promised to grant a truce to the Scots, which was to continue till the 30th of the ensuing November; and in the beginning of February he left Linlithgow and marched southward. Before he departed he bound Sir Alexander Baliol to hold Selkirk forest against the Scots, and exacted pledges from the captains of the castles of Linlithgow, Ayr, Edinburgh, Jedburgh, Roxburgh, and Berwick, that they would continue to defend these castles till the ensuing summer. Edward vehemently objected to the Scots being described as the "allies" of France, and on the 30th of April he protested against the truce.<sup>7</sup>

Edward exerted his ingenuity to the utmost to detach the King of France from giving any encouragement to the Scots, and he completely succeeded. Further he covertly arranged with the King of France to name those Scotsmen whose absence from the kingdom Edward considered to be most convenient for the success of his scheme of conquest, and accordingly Philip's ambassadors named Bishop Lamberton of St. Andrews, the Bishop of Dunkeld, the Steward of Scotland, Sir John Soulis, John Comyn, Earl of Buchan, Sir Ingram Umiraville, and Sir William Baliol. But ere the Scotch ambassadors arrived, a truce was arranged between England and France, in which all reference to the Scots was excluded; and in the final treaty of peace, ratified at Paris in May 1303, no reference to the Scots occurred. Pope Boniface VIII. also deserted the cause of Scotland; and in August 1302, he reprimanded Bishop Wishart for opposing the English rule, and commanded him to desist from it. At the same time the Pope commanded the other Scotch bishops to make peace with Edward.<sup>8</sup> Having thus far succeeded, as he imagined, in

<sup>7</sup> *Fœdera*, Vol. I.; *Book of Wallace*, Rogers, Vol. II., pp. 194-199.

<sup>8</sup> *Fœdera*, Vol. I., p. 972; Vol. II., p. 929.



debaring the Scots from all hope of external aid in any quarter, Edward proceeded to prepare for the complete conquest of the kingdom.

The Scots held Stirling castle and the country north of the Forth, and Edward I. as yet had only a precarious hold on the southern division of the kingdom. In February 1303, an English army was mustered at Berwick, numbering twenty thousand men, which, under the command of Sir John Segrave, advanced into Scotland. Segrave marched his army northward in three divisions, not far apart from each other, in order to obtain quartering for his men and forage for the horses. John Comyn, Wallace, and Sir Simon Fraser, having learned the position of the enemy, on the morning of the 24th February, 1303, rapidly advanced from Biggar to Roslin with eight thousand men on foot, and surprised the English army. A severe contest ensued, but the three divisions of the English were defeated in detail, and sixteen knights and thirty esquires were taken prisoners.

But Edward I. was then free from embarrassment abroad and at home, and he made ample preparations for the final conquest of Scotland. Through craft, in which he was abetted by the King of France, the Scotch envoys were induced to remain at the French court by the most base and false professions imaginable. On the 25th of May, 1303, these deluded Scotsmen at the French court communicated with Sir John Comyn, the guardian, in the following words:—"Be not alarmed that the Scots are not mentioned in the treaty. The King of France will immediately send ambassadors to divert Edward from war, and to procure a truce for us until the two kings can have a personal conference in France. At that conference a peace will be concluded beneficial to our nation: of this the King of France has himself given us the most positive assurance. . . . Marvel not that none of us return home at present: we would all have willingly returned, but the King of France will have us to remain till we bring home intelligence of the result of this business; wherefore, for the Lord's sake, despair not: but if ever you acted with resolution, do so now. . . . The French ambassadors will be empowered to treat of peace, as well as to negotiate a truce."<sup>9</sup> The men thus detained at the French court were John Soulis, one of the guardians, the Steward of Scotland, the Earl of Buchan, and Ingram de Umfraville; thus,

<sup>9</sup> *Fœdera*, Vol. I., p. 955.



with these men absent, and the defection of the Earl of Carrick, there were few persons of ability and rank left in Scotland to offer resistance to the crafty and ruthless invader.

In the middle of May 1303, Edward I. commenced his march, having arranged his army in two divisions, one under himself and the other under the Prince of Wales. Edward advanced by Morpeth and reached Roxburgh on the 21st of May, where he was joined by the followers of the Earl of Carrick. The Prince of Wales entered Scotland by the western marches, but his advance was checked at several points by Wallace; he therefore deviated from his intended route and marched through Roxburghshire, advancing northward in the rear of his father. Edward reached Edinburgh on the 4th of June, marched by Linlithgow and thence to Stirling, crossed the Forth, and on the 10th of June entered Perth. He stayed in Perth till the middle of July, then proceeded to Dundee, and thence to Montrose. At this stage he summoned Sir Thomas Maule to surrender the castle of Brechin, but Sir Thomas declined to surrender it. Edward marched from Montrose to Brechin with his war engines, and besieged the castle. Sir Thomas made a heroic defence; but at last he was fatally wounded and expired, and the garrison then surrendered, but not till five waggon-loads of lead had been thrown into the castle.

At Brechin Edward was joined by the Prince of Wales, and, resuming his progress northward, he marched by the castle of Kincardine and arrived at Aberdeen on the 24th of August; thence he marched through Buchan and reached Banff on the 4th of September, whence marching northward, he crossed the Spey and advanced through Moray, reaching Kinross on the 20th of September. Edward advanced into Badenoch and occupied the castle of Lochindorb, one of the strongholds of the Comyns; and all the men of note in the locality were compelled to render homage to him. He returned by Kinross, and thence to the castle of Kildrummy. He next marched southward by Brechin, and fixed his headquarters at Dumfermline, where he remained through the winter of 1304.<sup>10</sup>

It then seemed that all was lost, although the spirit of the people had enabled them to struggle against fearful odds and to endure extreme privation; still human endurance has its limits, and the

<sup>10</sup> *Fœdera*; Hemingford's *Chron.*; *Book of Wallace*, Rogers, Vol. II., pp. 206-208.

stage of hope appeared to be passed. Craft, force, and cruelty, had done their work ; but it had yet to be seen whether these would ultimately triumph.

Negotiations with Comyn, the guardian, were begun in the latter part of December 1303, for his submission to Edward I. These negotiations were long and tedious, and while they were proceeding Comyn remained in his camp at Strathord, in Forfarshire. The conditions as first laid down by Edward as the basis for treating of the submission of Comyn and his adherents were extremely hard, and virtually implied the complete surrender of national liberty. The terms of submission were finally adjusted and agreed to on the 9th of February, 1304. It was stipulated that their lives should be spared, and that they should retain their lands, but subject to such fines as Edward might think fit to impose upon them. The following persons were specially excluded from the benefit of the above terms—Wishart, Bishop of Glasgow, Sir John Soulis, the Steward of Scotland, Simon Fraser, William Wallace, David de Graham, and Alexander de Lindsay. To all these men, except Wallace, the chance of preserving their lives was offered on certain terms, mostly stated periods of banishment from Scotland. “As for William Wallace it is covenanted that he shall render himself up at the will and mercy of the king, if it shall seem good to him.” It appears that Edward was earnestly requested to offer reasonable terms to Wallace, but he declined to listen to such a proposal. Shortly after the surrender of Comyn and his adherents, Edward summoned a parliament to meet him at St. Andrews in March ; and he arrived at St. Andrews on the 11th of March and occupied the castle. In this meeting he intimated that he had summoned to the parliament Sir William Wallace, Sir Simon Fraser, and Sir William Oliphant, governor of Stirling Castle ; and he then announced that seeing they had not attended, therefore they should be forfeited and outlawed. At his request parliament resolved that the siege of Stirling should be actively prosecuted.<sup>11</sup>

Preparations were at once begun for the siege of this fortress. Edward appealed to his English treasurer for money, and to procure from York the materials for producing Greek fire, namely, a horse-load of cotton thread, a load of quick sulphur, a load of saltpetre, and

<sup>11</sup> *Fœdera*, Vol. II. ; *Hist. Doc. Scot.*, Vol. II., p. 471 ; *Palgrave's Doc.*, pp. 278-284.

a load of arrows feathered and ironed. By Edward's orders the lead was stripped from the refectory at St. Andrews and from the churches at Perth and Dunblane. The Earl of Carrick, Robert Bruce, who had been serving Edward actively for the past year or two, promised to grant for use in the siege of Stirling Castle his great battering-ram which was lying at Inverkip. War engines, missiles, and materials of every description for the siege were in readiness, and Edward himself arrived at Stirling on the 21st of April, and summoned Oliphant, the governor of the castle, to surrender. But Oliphant declined to surrender and made a brave defence. The siege continued from the 22nd of April to the 20th of July, the King remaining at Stirling in order to urge on the operations. When the governor of the castle surrendered, the garrison only numbered one hundred and forty men, but Edward inflicted shameful indignities upon these brave and faithful men. The governor, Oliphant, was sent to the Tower of London, and the rest were despatched to various prisons in England.<sup>12</sup>

Edward directed special attention to the capture of Wallace, as he was already proclaimed an outlaw. Immediately after the surrender of Stirling Castle the King exhorted the men lately admitted to his peace to exert themselves to the utmost to take Wallace, and promised that those who secured him should receive some distinctive marks of royal favour. Edward returned to England in December, 1304, but he continued to issue proclamations for Wallace's capture, with offers of a reward. At the same time he carried on secret communications with those whom he thought best fitted to execute his purpose. The man actually instrumental, however, in the capture of Wallace was Sir John Menteith. He was engaged in the Battle of Dunbar in 1296, where he was taken prisoner, and confined in the castle of Nottingham; by consenting to serve under Edward I. abroad he was released in 1297, and after the Flanders campaign he returned to Scotland. He then joined the national party, and possibly he might have fought under Wallace at the Battle of Falkirk. At what time Menteith returned to Edward's service has not been ascertained, but in a commission dated at St. Andrews on the 20th of March, 1304, he was then appointed Keeper of the Castle of Dumbarton and Sheriff of the County. After the surrender of Stirling Castle it appears that Wallace, with a single attendant, sought shelter

<sup>12</sup> *Fœdera*, Vol. I., p. 966; Rogers' *Book of Wallace*, Vol. II., p. 218-223.

in the unfrequented spots of the counties of Stirling and Lanark. Whether his refuge was within the sheriffdom of Dumbarton or not has not been ascertained; and it seems that Menteith had formed the idea of promoting his own interest by delivering Wallace into Edward's hands. In the district of Cadder, on the north-eastern border of Lanarkshire, Wallace had taken shelter in a barn known as Robraystoun, and there on the 5th of August, 1305, he was surprised by a party of English soldiers, led by Menteith, at whose instance he was seized and fettered.<sup>13</sup>

Securely fettered Wallace was immediately conveyed to London under a strong guard. Touching his trial and execution in London minute details exist, which have been often printed, and it is quite unnecessary to repeat them at length. He was tried for treason, which he never committed, seeing that he never gave allegiance to Edward I., whom he rightly regarded as a usurper and invader. Wallace was not allowed to make any defence, but condemned and sentenced to be hanged and drawn, with all the shocking and cruel formalities of the Norman law of treason. The sentence was executed on the 23rd of August, 1305, and that it might produce the desired effect "his body should be cut and divided into four quarters, and the head set on the Bridge of London, in sight of those passing both by land and water; and one quarter suspended on the gibbet at Newcastle-on-Tyne, another quarter at Berwick, a third quarter at Stirling, and a fourth quarter at Perth, for the dread and chastisement of all that pass by and behold them." How far the intended end was served by such spectacles of extreme barbarity subsequent history tells. Indeed, the story of the heroic action and deeds of Wallace, heightened by his sacrifice in London, became embalmed in

<sup>13</sup> *Book of Wallace*, Vol. II., pp. 226-229. "Among certain memoranda in the Chapter House are these :—4. Cause to be remembered the forty marks which should be given to a valet who had watched William Wallace. 5. Item of the sixty marks that ought to be given to the others; it is the king's will that these be divided among those persons who were at the capture of the said William. 6. Item of land for J. de Menteith, valued at £100." *Ibid.*, p. 236. "Menteith received from Edward on the 16th of June, 1306, the revenues of the Earldom of Lennox, also the temporalities of the bishopric of Glasgow, in the county of Dumbarton, of which Bishop Wishart had been deprived. When Robert the Bruce was, in 1306, prosecuting his patriotic labours, Menteith undertook jointly with Sir Hugh Bisset to cut off by a fleet his retreat from the Western Isles; and in July of the following year he is described as, with some others, guarding, on Edward's behalf, the town of Ayr." *Ibid.*, p. 231.



the heart of the Scottish people, and his memory was more intensely venerated as century after century passed. Recalling the traditional incidents associated with the Cartland Crags, it has been truly said :—

“ Blest Freedom flourish’d in this wild,  
When banish’d from each cultur’d spot.  
Expiring Albin saw and smil’d  
And all her wounds and woes forgot.”<sup>14</sup>

Many poets have paid homage to Wallace, and the following simple lines embody the national sentiment :—

“ A fair renown. as years wear on,  
Shall Scotland give her noblest son ;  
The course of ages shall not dim,  
The love that she shall bear to him.”<sup>15</sup>

Edward I. was intently engaged in arranging his new form of government for Scotland. He summoned a council of the Scotch nobles, clergy, and the burghal communities, which met at Perth in March, 1305, and this meeting was instructed to elect ten commissioners to represent Scotland in the English Parliament ; thus, four to be chosen by the nobles, four by the clergy, and two by the burghal communities. These ten Scotch commissioners attended a Parliament which met at London on the 15th of September, 1305, and being joined by twenty-two commissioners from the English Parliament, this body, acting in concert, framed the royal ordinance for the government of Scotland. This document is elaborate, and presents evidence of considerable intelligence and judgment ; but seeing that it never came into practical operation it is historically unnecessary to expound it.<sup>16</sup>

After twelve years of incessant craft, bloodshed, and oppression, closing with the execution of Wallace, Edward I. fancied that his conquest of Scotland was at last complete. But a worthy successor to Wallace immediately appeared upon the scene, and the shattered king, worn with the toil of years, lived to see it all passing from his grasp.

<sup>14</sup> Dr. Jamieson, editor of Blind Henry’s *Wallace*.

<sup>15</sup> Baillie’s *Metrical Legends*, p. 78.

<sup>16</sup> The Ordinance for the government of Scotland was printed in the first volume of the *Scots Acts of Parliament*.

## CHAPTER VI.

*War of Independence. Robert Bruce.*

AS we have seen, the Earl of Carrick was assisting Edward I. in his last campaign, and supplied him with a battering-ram for the siege of Stirling Castle. His father, Robert Bruce of Annandale, died in the spring of 1304, and he then succeeded to the large family estates in England and in Scotland. Bruce was a young man, little over thirty years, and hitherto had shown a rather vacillating character. As he was the grandson of the Bruce who had fought out the contest in Edward's court for the Crown with the deposed Baliol, he had always looked forward to the throne of Scotland. In June, 1304, he met with Bishop Lamberton; they had a conversation together touching impending dangers, and entered into a friendly covenant to resist their enemies. They engaged to seek each other's safety in their common affairs against all persons opposed to them, both individually and by their adherents; they also agreed that the one should not enter on any great undertaking without consulting the other, and if the one became cognisant of dangers impending over the other he should forewarn him, and use his utmost efforts to avert the same. For the performance of the compact they bind themselves to each other by oath, and under a penalty of ten thousand pounds.<sup>17</sup> Considering the condition of Scotland at the time, and the position of the two men, this compact possibly had in view some attempt by Bruce to mount the throne and recover the kingdom. It seems that the existence of this bond became known to Edward I., and Bruce, when attending the English court, was questioned concerning it; he at once saw that his life was in danger, and one morning he mounted his horse and rode swiftly to Scotland.

Bruce arrived at his castle of Lochmaben early in February, 1306.

<sup>17</sup> Palgrave's *Doc.*, Vol. I., pp. 323-325.

On the 12th of February, as a freeholder of the county, he attended the English judges who were then holding their courts at Dumfries, and there he met the Red Comyn, the late guardian. Bruce and Comyn entered the Grayfriars convent to have a private interview touching public affairs, and their conversation waxed warm. Bruce referred to the miserable state of Scotland, once an independent kingdom, and now nothing but a province of England. He then proposed that Comyn should take his lands and help him to be king; or, if he preferred it, Bruce was to take his lands and assist him to be king. Comyn demurred, and professed loyalty to King Edward I. Bruce charged him with betraying important secrets of his; their talk became bitter and hot, and at last Bruce drew his dagger and stabbed Comyn. He turned from the convent and rushed into the street, shouting for a horse! His friends asked if anything was amiss. "I doubt," said Bruce, "I have slain Comyn." Instantly Kirkpatrick, one of his followers, ran into the convent and slew the wounded man outright, and also killed his uncle, Sir Robert Comyn.<sup>18</sup>

Probably the murder of Comyn was unpremeditated, still it removed the only competitor for the throne of Scotland whom Bruce had reason to fear. Comyn had a claim to the Crown, as his mother was a sister of the deposed John Baliol. He also claimed to be a descendant of Donald Bane, a brother of Malcolm III., which would have given him a great advantage among the people in any struggle between the two for the throne of Scotland. But Bruce had rashly committed himself and could not recede; he had assassinated the highest noble in the kingdom, stained the altar with blood, brought down on his own head all the terrors of religion, and the enmity of the kin and numerous followers of the dead earl.

Immediately after these tragic deeds Bruce drove the English judges and officials out of Dumfries and beyond the Border. The news soon

<sup>18</sup> Palgrave's *Doc.*, p. 322.; Barbour's *Bruce*. It appears that in a meeting of the guardians and some of the nobles held at Peebles, July, 1299, a scuffle occurred, which originated in a proposal touching the property of Wallace, who was then in France:—"And upon that, each of these knights gave the lie to the other and they drew their daggers; and the Earl of Buchan and Sir John Comyn thought, because Sir David de Graham is with Master John Comyn, and Malcolm Wallace with the Earl of Carrick, that some quarrel was begun with intention to deceive them, and Master John Comyn leaped on the Earl of Carrick and took him by the throat, and the Earl of Buchan upon the Bishop of St. Andrews, and they held them fast, until the Stewart and others went between them and stopped the scuffle." *National MSS.*, Pt. II., No. 8.

spread, the people assumed a threatening attitude in Galloway, and many of Edward's officials fled from the kingdom. Bruce resolved on a bold step, he mounted the throne, and was crowned at Scone on the 27th of March, 1306. But, as yet, his followers were not numerous; they consisted of the Bishops of St. Andrews, Glasgow, and Moray, and the Abbot of Scone; his four young and stalwart brothers, his nephew, Thomas Randolph of Strathdon, and his brother-in-law, Christopher Seton; John de Strathbogie, Earl of Athole; and the Earls of Lennox and Menteith; Gilbert Hay of Erroll and his brother Hugh, Nigel Campbell of Argyle, David of Inchmartin, Robert Boyd of Kilmarnock, Sir John Somerville of Linton, David Barclay of Cairns, Alexander Fraser, Sir James Douglas, and Robert Fleming. Against this small party—the forlorn hope of the Scottish nation—stood arrayed the mighty hosts of England, the numerous followers of the Comyns, and many of the Scotch nobles.

When tidings of these events reached the ears of Edward I., he was extremely wroth, and threatened dire vengeance. Orders with a sharp and incisive ring were issued. It was proclaimed in all the cities and towns of Scotland that all those in arms against the King should be pursued by hue and cry, from city to city, from county to county, from place to place, and taken dead or alive. All persons taken in arms against Edward I. were to be hanged and beheaded, and all in any way connected with the murder of Comyn were to be drawn and quartered. The implacable rage of Edward runs through all the royal proclamations. Another great invasion of Scotland was resolved on; the military force of Yorkshire and Northumberland were ordered to muster immediately to march against the rebellious Scots. He also invoked the aid of religion, notwithstanding his former contempt of "Mount Zion and Jerusalem." Bruce's estates were declared forfeited, and his execution was determined on in the event of his capture. The advance army, under the Earl of Pembroke, reached the doomed country in the spring of 1306, and Edward himself, bracing up all his remaining energy, once more moved northward; but his frailty rendered his progress very slow.<sup>19</sup>

Pembroke advanced on Perth, and on his way he captured Bishop Wishart and sent him to Berwick. On reaching Perth, Pembroke occupied the town and fortified it. Bruce and his party found that

<sup>19</sup> *Fœdera*, Vol. I., pp. 982, 995; Palgrave's *Doc.*, pp. 361-363, 301-318, *et seq.*



they could not face the English army ; but he encamped in the wood of Methven six miles from Perth. On the 19th of June, Pembroke attacked Bruce, and after a severe encounter, completely defeated him ; he narrowly escaped capture, while many of his followers were slain and others taken prisoners. Bruce with two or three hundred of his followers retired into the forest of Athole. Among the prisoners captured at Methven were Thomas Randolph, Sir John Somerville, David of Inchmartin, Hugh Hay, and others ; and Edward I. ordered that the prisoners should be immediately executed, accordingly they were hanged and quartered.<sup>20</sup>

The desperate nature of the enterprise now appeared. Bruce and his friends were pursued as outlaws, and they soon began to feel the extreme miseries of their position. Bruce was forced to leave Athole to save his followers from starvation ; and with great difficulty he moved by unfrequented tracks from Athole to Aberdeenshire. At Aberdeen he was joined by his wife and other ladies ; but on the approach of a large body of the enemy, Bruce and his company betook themselves to the mountains of Breadalbane. Amid these wilds they suffered extreme privation. As food was scarce, they gathered wild berries, some of them hunted, and others fished, in order to preserve their existence ; while their clothing was often in tatters, living day and night for weeks and months exposed to the open air in these high altitudes. Bruce with a number of his friends had reached the head of the Tay, and were approaching Argyleshire, the district of the Lord of Lorne. This chief was related through marriage to the Red Comyn, and naturally he was eager to vent revenge on Bruce. Lorne at the head of a strong body of his followers attacked Bruce and his small company in Strathfillan. A severe encounter ensued ; but Bruce's company was overwhelmed by numbers and fell back. Gilbert Hay of Erroll and Sir James Douglas were wounded, and many of their horses were killed. To avert the total destruction of his little band, Bruce commanded them to retreat through a narrow pass while he brought up the rear himself, and repeatedly turned his horse and drove back the assailants, till at last the pursuit of the enemy ceased.<sup>21</sup>

Winter was approaching, and they could not then subsist in this mountainous region. The Queen and her attendants were conveyed under an escort of cavalry to the castle of Kildrummy. Bruce then

<sup>20</sup> Hemingford's *Chron.*, p. 249 ; Barbour's *Bruce*.

<sup>21</sup> *Ibid.*

had only two hundred men on foot, and with these he resolved to seek refuge in Cantyre or in some of the islands, Sir Neil Campbell being sent forward to provide vessels and provisions for the voyage. The King and his small company proceeded in the direction of Cantyre ; but they were reduced to the utmost extremities for want of provisions. While wandering amongst the hills and woods in search of food, they met the Earl of Lennox, who, since the battle of Methven, had heard nothing of the fate of Bruce, and the King and Lennox feelingly embraced each other. Lennox supplied his friends with provisions, and by his assistance they reached Cantyre, where Neil Campbell rejoined them. Angus, Lord of the Isles, welcomed Bruce and his followers, and treated them all with great hospitality ; he also gave them the castle of Dunaverty to live in and enjoy themselves after their wanderings and privations. So numerous were the emissaries of Edward I. and the Comyns, and so alert in their efforts to capture Bruce, that he, with the recent fate of Wallace before him, did not deem himself safe, even in this castle, from the pursuit of his enemies. In the end of the year 1306, Bruce, with a few of his friends, passed over to the small isle of Rathlin, on the northern coast of Ireland, and remained there during the winter.

But ruin and death befell many of Bruce's friends and supporters, as the English troops scoured the country and seized all suspected persons. The Bishop of Glasgow, as already mentioned, was imprisoned at an early stage. Bishop Lamberton, of St. Andrews, and the Abbot of Scone, were sent in fetters to England. Bruce's wife and his daughter were captured and imprisoned in England ; the Countess of Buchan, who had dared to assist at the coronation of Bruce, was taken to Berwick and placed in a wooden cage, specially built for her, which hung in one of the centre turrets of the castle. The English besieged and took the castle of Kildrummy, and Nigel Bruce, the King's brother, was sent in fetters to Berwick, and there executed. The Earl of Athole and Sir Simon Fraser were conveyed to London and executed as traitors ; and their heads were placed upon London Bridge beside that of Wallace. Sir Christopher Seton, Sir Walter Logan, Bernard Mouat, Herbert Morham, Ralph Herries, Thomas Bruce and Alexander Bruce, brothers of the King, these and many others were executed with all the horrible and shocking cruelties of the period. Further, many of the people were struck down and slain without trial, evidence, or question, in any form ;

and for several years a scene of bloodshed, enormous cruelty, and oppression, prevailed throughout the kingdom.<sup>22</sup>

In the spring of 1307, Sir James Douglas and Sir Robert Boyd, with Bruce's sanction, sailed from the island of Rathlin with a small band of followers, and made a descent upon the island of Arran. They landed during the night, and Douglas placed his men in ambush in the vicinity of the Castle of Brodick. The following morning he attacked the escort of a convoy which was proceeding with stores for the garrison, defeated and scattered the escort, and thus secured a store of provisions, arms, and clothing. The governor of the castle sent out a body of soldiers to assist the escort, but they were repulsed by the Scots and driven back to the castle. Douglas then retired to a prehistoric fort on a woody spot in the neighbourhood; and soon after Bruce arrived with a company of about two hundred men and joined Douglas. Bruce then despatched one of his followers into the district of Carrick, to ascertain how his own vassals were affected; but the report of this messenger was disheartening. He informed Bruce that Lord Percy had a strong garrison in Turnberry Castle, and many of his men stationed in the town; that the people were dispirited, and that there was little hope of assistance from them. Bruce seemed perplexed, and consulted with his brother Edward, who said that he would pursue the enterprise. They then attacked the English troops stationed in the village of Turnberry, and defeated them. Three days after Bruce retired into the mountainous range of Carrick; and being deprived of aid which he had expected from Ireland, his position was perilous. His enemies and the emissaries of Edward I. were constantly hunting him, and he had several very narrow escapes. At Cumnock, in Ayrshire, he was joined by his friend Sir James Douglas, who had collected a body of men in his own barony. With his followers thus increased, Bruce determined to give a good account of himself.

In the beginning of May 1307, Pembroke advanced into Ayrshire at the head of three thousand cavalry, with the intention of extinguishing Bruce. But the King in his wanderings had acquired some experience, and he fixed on a position at Loudon Hill. After inspecting the ground, he limited the space for the evolutions of the enemy's cavalry, and at the same time protected both his flanks, by three deep

<sup>22</sup> *Fœdera*, Vol. I., p. 996; Hemingford's *Chron.*, Vol. I., p. 247, *et seq.*; Barbour's *Bruce*.

trenches on each side of his position ; beyond these trenches the ground was marshy. Having thus prepared the ground, Bruce posted his six hundred spearmen, and coolly awaited the attack of the English cavalry. On the 10th of May, the English cavalry under Pembroke advanced in two lines ; and the first line at full gallop charged the Scotch spearmen, but they stood firm and unhorsed many of their assailants. The cavalry reeled and then broke, and retired in disorder upon the second line ; the Scots with their spears levelled, followed them at the double, and completely defeated them. Pembroke fled to the castle of Ayr, and reported his defeat. Bruce's followers now began to have confidence in him, and from this time he gradually gained ground. Three days after the encounter at Loudon Hill, Bruce completely defeated a body of the English commanded by the Earl of Gloucester. The result was that many of the Scots joined Bruce.

The leading spirit of the conquest, Edward I., by short stages had advanced within sight of Scotland ; but the hand of the grim and implacable enemy was upon him, and on the 7th of July 1307, he expired. He had inflicted enormous suffering upon the Scots ; and when his feet were on the brink of the grave, the venom of his heart was not appeased, for he then implored his son and barons to continue his scheme of torturing the Scots. Edward II. was weak and vacillating. He advanced to the outskirts of Ayrshire, and without effecting anything of importance, he returned home. Shortly after he removed Pembroke from the Guardianship of Scotland, and appointed the Earl of Richmond to the office. Edward Bruce assailed the English in Galloway ; while Sir James Douglas expelled them from Douglassdale, and the forests of Jedburgh and Selkirk.

Bruce crossed the Tay, and marched northward to Aberdeenshire, with the object of reducing Comyn, the Earl of Buchan, who upheld the English authority in this quarter of the kingdom. He was, however, attacked by a severe illness, caused by the exposure and privation which he had endured ; and the war operations were somewhat delayed. The King's army proceeded by Inverurie, and in the march northward several skirmishes took place between his troops and the followers of the Comyns. Bruce's army retired into Strathbogie, to obtain a supply of provisions and to afford their leader some rest. When he had partly recovered from his illness, they returned to Inverurie. At the same time, the Earl of Buchan, with a force numbering upwards of a thousand men, had ad-



vanced to Old Meldrum; and Comyn's ally, Sir David de Brechin, with a small party rapidly marched on Inverurie, and surprised some of Bruce's outposts. This was the signal for a general attack. The King instantly rose from his bed, called for his horse, and mounting, led his army direct to Old Meldrum. There he delivered a decisive attack upon the Earl of Buchan, and utterly defeated his army, and slew and pursued them for many miles. Bruce then proceeded with merciless severity to waste and destroy the territories of the Comyns in Buchan, so that their power was broken. The castles in the hands of the English were attacked, and when taken they were levelled to the ground, in order to prevent the enemy from again occupying them. The citizens of Aberdeen, assisted by a few of Bruce's followers, captured the castle and expelled the English garrison. The castle of Forfar was taken and the English garrison slain; after which the King marched southward.

The recovery of the kingdom steadily proceeded, and the Scots readily submitted to the King; indeed the people soon recognised the abilities of Bruce. On the 24th of February, 1309, in a general council held at Dundee, the estates recognised Bruce's right to the throne; at the same time the clergy of Scotland formally proclaimed their recognition of his title and their adherence to him as king. The document then issued by the clergy is of great historic value, inasmuch as it boldly asserted the constitutional rights of the people even in the choice of the king. The main points of the document are the following:—"To all the faithful, to whose knowledge the present writing shall come, the bishops, abbots, priors, and the rest of the clergy of the kingdom of Scotland. . . . Be it known to you all that when between the Lord John de Baliol, long ago in fact raised to be King of Scotland by the King of England, and the deceased Lord Robert de Bruce, grandfather of our Lord Robert the King who now is, a ground of dispute had arisen which of them, to wit, was nearest by right of blood to inherit and reign over the Scotch people; the faithful people without doubt always held, as from their predecessors and ancestors they had learned and believed to be true, that the said Lord Robert, the grandfather, after the death of King Alexander and his grand-daughter, the daughter of the King of Norway, was the true heir, and ought, in preference to all others, to be advanced to the government of the kingdom, although the enemy of the human race sowing tares, by the various machinations and plots of his rivals, which it would be tedious to narrate in detail, the thing

has turned contrariwise ; on account of whose overthrow, and the want of kingly authority, heavy calamities have thenceforth resulted to the kingdom of Scotland and its inhabitants. . . . The people, therefore, and the commons of the aforesaid kingdom of Scotland, worn out by the stings of many tribulations, seeing the said Lord John, by the King of England, on various pretexts, taken, imprisoned, stripped of his kingdom and people, and the kingdom of Scotland by him also ruined and reduced to slavery ; laid waste by a mighty depopulation and overwhelmed by the bitterness of frequent grief, desolated from the want of right government, exposed to every danger, and given up to the spoiler, and the people stripped of their goods, tortured by wars, led captive, bound, and imprisoned ; by immense massacres of the innocent, and by continual conflagrations, oppressed, subjected and enslaved, and on the brink of total ruin . . . being no longer able to bear so many and so great losses of things and persons more bitter than death, often happening for want of a captain and faithful leader . . . the said Lord Robert, with the concurrence and consent of the said people, was chosen to be king, that he might reform the deformities of the kingdom, correct what required correction, and direct what needed direction ; and having been by their authority made King of Scots, with him the faithful people of the kingdom will live and die . . . and if any one on the contrary claim right to the kingdom in virtue of letters in past times, sealed and containing the consent of the people and the commons, know ye that all this took place, in fact, by force and violence, which could not at the time be resisted, and through multiplied fears, bodily tortures, and various terrors, enough to confound the senses and distract the minds of perfect men. . . . We, therefore, the bishops and the rest of the clergy, acting under no compulsion, knowing that the premises are based on truth, and cordially approving the same, have made due fealty to our Lord Robert, the illustrious King of Scotland, and we publicly declare that the same ought to be rendered to him and his heirs by our successors for ever.”<sup>23</sup> Seeing that Bruce was then under the excommunication of the Pope for the slaughter of Comyn, this announcement of the Scotch clergy was a great accession of strength to his cause.

In the spring of 1309 there was an attempt to make peace, but the Scots were not inclined for peace till the English were expelled from

<sup>23</sup> *National MSS. Scot.*, Pt. II., No. 17.

all the castles and the territories of Scotland. Edward II., in September 1310, entered Scotland with a great army, but Bruce wisely avoided a battle. After driving off their cattle and sheep into the narrow glens, the Scots retired to the woods and mountains; while the invading army advanced to Renfrew, looking intently for an enemy to conquer, but in vain. The English soon began to suffer for want of provisions and forage, and without effecting anything of the slightest moment, the army retreated to Berwick. Several of Edward's subsequent expeditions came to a similar end. In the summer of 1311 Bruce thought that his turn to invade the territories of the enemy had at last come. He accordingly marched his army into the northern counties of England and plundered the country, levying heavy contributions; and having remained for eight days, he returned home laden with booty.<sup>24</sup>

Bruce then resolved to besiege Perth, which still remained in the hands of the English. The town was fortified by a strong wall, and surrounded by a deep moat full of water. The garrison made a brave and determined resistance, and for six weeks repelled all the efforts of the besiegers. But Bruce having ascertained and marked the shallowest part of the moat, marched off to a considerable distance, as if he had abandoned the siege. Ten days after, the king, at the head of a picked party of his men, furnished with scaling ladders, returned to Perth during the night, and they then waded through the moat, scaled the wall, and surprised the garrison in their beds. The town was soon taken, and the fortifications were completely demolished in accordance with the policy of the king. The lives of the English garrison were spared; and the Earl of Strathern, who then served under the English, was taken prisoner. On renewing his allegiance to Bruce, the Earl was pardoned.

Shortly after the castles of Dumfries and Linlithgow were captured; and on the 7th of March, 1312, the castle of Roxburgh was taken by Douglas, and by the orders of the king both the castle and the town were levelled to the ground. The Castle of Edinburgh, which had been for nineteen years in the possession of the English, on the 14th of March the same year, after a desperate struggle, was captured by Randolph. Edward Bruce had expelled the English from Galloway and Nithsdale, and demolished the castles in these districts; he also took the castles of Rutherglen, and Dundee,

<sup>24</sup> *Chronicles of Hexham*, App., pp. 58, 59.

and at last besieged the Castle of Stirling—the citadel of the kingdom. The English Governor, Mowbray, defended the castle with great determination, but at length his provisions were becoming exhausted, and he then made an agreement with Edward Bruce to surrender it, unless it should be relieved, before the 24th of June, 1314. This agreement was very favourable to England, inasmuch as it compelled the Scots to peril the fate of the kingdom on a pitched battle.

As we have seen, the siege of Stirling Castle had cost Edward I. enormous labour, and he deemed its capture one of his greatest achievements. It was then the most important stronghold in Scotland, and if England intended to retain a hold of the country she must relieve it within the appointed time. So another great invasion was resolved on, and great preparations were made. The whole feudal array of England was called out, and levies drawn from Wales and Ireland; vast quantities of all kinds of provisions for the troops were collected from all quarters of England, and the army was well provided with cars and waggons for the transport of the baggage, tents, and arms. Edward II. entered Scotland in June, 1314, at the head of the largest and best equipped army that had ever marched from England; for in all it numbered one hundred thousand fighting men, one half of them cavalry, who were then considered the chief arm of strength in battle.

To face this mighty host the Scots made a supreme effort. Bruce ordered his force to muster in the Torwood, between Falkirk and Stirling, where he found that his fighting men only numbered thirty thousand infantry, and five hundred cavalry. He resolved to fight on foot, and prepared to guard and strengthen his position to the utmost. After a careful examination of the ground he determined to dispose his army in four divisions—three of them forming a front line, inclining to the south-east, facing the advance of the enemy, the fourth division being held in reserve and placed behind the centre. The formation of the Scottish spearmen was a series of solid circles, so inclined in front as most effectively to resist the shock of cavalry charges: it was similar to Wallace's circles at the Battle of Falkirk. The right flank of Bruce's line was well protected by the rugged ground and the broken banks of the Bannock burn, while his left wing was admirably secured by a series of trenches and pits, which effectively limited the space for the movements of the enemy's cavalry. By this limitation of the space in front of his line, Bruce hampered



the development of the cavalry charges of the English, which gave him a great advantage. The right wing of the Scots was commanded by Edward Bruce, the centre by Randolph, Earl of Moray, and the left wing by Sir James Douglas and the Steward of Scotland, the reserve or fourth division was under the command of the King himself, and it consisted of the men of the Isles, Argyle, and Cantyre, accompanied by Angus, the Lord of the Isles, and Bruce's own vassals of Carrick; and there also the five hundred cavalry, under Sir Robert Keith, was stationed, ready to execute their special duty, when the proper moment came.

On the 23rd of June the enemy appeared, and made a bold attempt to throw a body of cavalry into the castle of Stirling, but they were repulsed by Randolph, the Earl of Moray. Bruce asked his leaders whether they thought it best to fight or to retreat, and they unanimously declared that they were determined to fight and to abide the issue of the conflict. The Scots then made all the necessary arrangements for the battle, passing the night under arms on the field. At night the Mayne of St. Fillan, that is, the enshrined arm of the saint, was shown to the Scottish army. At daybreak, the 24th of June, the Abbot of Inchaffray, celebrated mass on an eminence in front of the army. He then passed along the line and in a few words exhorted the Scots to fight for their rights and liberty. After this they breakfasted, and then placed themselves under their different banners in battle array.

The mighty host of Edward II. was early in motion on that memorable Monday morning, and the English began the battle by the advance of a body of lancers under the command of the Earls of Hereford and Gloucester. The lancers charged at full gallop on the right wing of the Scots, but the spearmen firmly withstood the impetuous onset of the enemy, and some of the lancers were pitched from their saddles and slain. The main body of the enemy's cavalry rapidly advanced and charged the Scottish centre, which for a moment appeared to be engulfed amid the seething mass of the English. The whole Scottish line was soon assailed and wrestling in a hand-to-hand combat with the enemy. The battle raged with the utmost fury, while the English attempted by desperate charges, many times repeated, to break through the Scottish spearmen, but in vain. At this all-important hour they thought of the home of their fathers, and their native hearths; and remembering, too, the many grinding injuries, galling outrages, stinging insults, cruel and unmitigated

suffering inflicted upon them during long years of dire oppression, they repelled every attack with steady valour and slew heaps upon heaps of their assailants. The English bowmen and archers, who supported the cavalry charges, were beginning to gall the ranks of the Scottish spearmen; but Bruce sent Sir Robert Keith with five hundred cavalry to charge the left flank of the archers, and, as they had no weapons to defend themselves at close quarters, they were instantly broken and scattered in all directions, and so completely cowed that they declined to return to their posts. In front the battle continued to rage with unabated fury, but with obvious disadvantage to the English. Seeing the enemy flagging, Bruce encouraged his leaders to strive on, assuring them that the victory would soon be won. He then brought up the reserve, all the four divisions of his army being now engaged. The English fought bravely and determinedly, making many but unavailing attempts to pierce through the front of the spearmen, and at every successive charge losing more men and horses, and falling into greater confusion. Then was heard afar the clashing and crashing of armour, the mingled whooping and shouting of the war-cries, and withal the agonising moans and groans of the wounded and dying; many masterless horses were madly running hither and thither, heedless of friend or foe; the ground was streaming with blood and strewn with shreds of armour, broken spears, arrows, and pennons, rich scarfs and armorial bearings torn and soiled with blood and clay.

The Scots continued to gain ground, and pressed with increasing energy upon the confused and tottering mass of the enemy, rending the air with shouts of "On them! on them! they fall!" The English gave way slowly along the whole line. Bruce perceiving this, placed himself at the head of the reserve, and raising his war-cry, which was repeated by the Lord of the Isles, they pressed with redoubled and unbearable fury on the falling ranks of the enemy. This onset, well seconded by the other divisions of the army, decided the fate of the day. The English broke into disjointed squadrons and began to quit the field, and in spite of all the efforts of their leaders to rally them and restore order, they dispersed and fled headlong in all directions. King Edward stood gazing intently upon the fatal field till he saw that all was lost, when he fled in utter bewilderment. The struggle was over, the enemy in flight, and the victory complete. Glory to the heroes who fought, and bled, and fell on Bannockburn. Peace to the ashes of Robert Bruce, who skilfully

planned, ably led, and won the field on that memorable day ; while Scotsmen's blood runs warm and human sympathies endure, the nation's heart will throb over the remembrance of Bannockburn.

Thirty thousand of the English fell upon the field, and the standards of twenty-seven barons were laid in the dust, their owners being slain. Two hundred knights and seven hundred esquires were among the fallen. The prisoners consisted of twenty-two barons, sixty knights, and a multitude of the lower ranks. Although only two men of note, Sir Walter Ross and Sir William Vipont, were slain on the Scottish side, nearly four thousand of the rank and file fell on the field. A large number of the English must have been trampled to death by their own cavalry, especially after the confusion in their lines began. For though the Scottish spearmen stood in their positions like a rock so long as the issue of the battle was doubtful, whenever Bruce placed himself at the head of the reserve there was then an instantaneous forward movement of the whole line, and a series of successive charges were made upon the confused and entangled mass of the enemy, and it seems to have been then that the greater part of the English were killed. Edward II. fled by Linlithgow and thence to Dunbar, escorted by five hundred cavalry, who were pursued all the way by Douglas at the head of sixty horsemen. There was no rallying point after the battle, and Edward escaped from Dunbar to Berwick in a fishing-boat.

Bruce showed a noble forbearance in the hour of victory, and treated his fallen enemies and the prisoners with much respect and humanity. In this he exhibited a striking contrast to the cruel and rancorous policy of the Edwards. Of course some of the prisoners who were rich, paid large sums of money for their ransom. The enormous spoil of the English camp fell into the hands of the Scots, amongst which was the military chest containing the money for the payment of the troops, and the privy seal of Edward II. Mowbray, the governor, surrendered Stirling Castle the day after the battle, according to the agreement, and he then entered into the service of Bruce. The Earl of Hereford had taken refuge in the castle of Bothwell, which, after a short siege, surrendered to Edward Bruce ; he was exchanged for Bruce's queen and daughter, and his sister Christina, Bishop Wishart of Glasgow, and the Earl of Mar.

The Battle of Bannockburn was not only one of the greatest events in the history of Scotland, but it was also one of the greatest events

in the history of Britain. Its immediate effects were obvious; while its results have been continuously felt in the internal history of Britain to the present time, and will continue to be felt throughout all time; as it contributed an element to human freedom which in its essence can never be lost.

After the Battle of Bannockburn, Bruce's chief aim was to bring the English government to equitable terms of peace, but they refused to treat him as a king. The result of this was a succession of invasions and border raids which, for many years, kept both countries in a state of turmoil; for the Scots naturally resorted to a convincing mode of showing the advantages which they had gained, and they crossed the Border in force and plundered and wasted the northern counties of England. This was carried to such extremities that England became anxious for peace, but the Scots would listen to it only on the condition of the full acknowledgment of the independence of the kingdom. The English were still extremely loth to recognise this; and Edward tried the weapons of spiritual warfare and applied to the Pope for a pacifying Bull, which was issued in the beginning of the year 1317. This papal document was addressed to the illustrious Edward, King of England, and the noble Robert de Bruce, conducting himself as King of Scotland; it ordered the observance of a truce between England and Scotland for two years. Two cardinals appeared in England as the papal legates to enforce the observance of the truce, but Bruce declined to observe it or to treat with the representatives of the Pope unless he was addressed as King of Scotland. He told them that he would listen to no Papal Bulls until he had taken Berwick. Bruce pushed on the siege of Berwick, and it surrendered in the end of March, 1318. The Scots then invaded Northumberland, and took the castles of Wark, Harbottle, and Mitford. They advanced into Yorkshire, plundered the country, and levied contributions, returning home laden with booty, driving their prisoners before them like a flock of sheep.<sup>25</sup>

The two papal legates in England excommunicated Bruce and his adherents. Owing, however, to the keen national sympathies of the Scotch clergy, this had little effect in Scotland.

In December 1318, Robert I. assembled a parliament at Scone, in which a number of wise laws were passed. Acts were passed touch-

<sup>25</sup> Walsingham's *Chron.*, Vol. I., p. 142, *et seq.*; *Chron. of Hexham*, Vol. I., p. 59, *et seq.*; *Fœdera*, Vol. II., pp. 317, 340.



ing the administration of justice, the organisation and mustering of the army, and the freedom of the Church. The King commanded that the old and common law of the kingdom should be rightly administered to rich and poor alike. Acts relating to cattle-lifting, and to the salmon-fishing were passed. It was enacted that every man who had goods of the value of one cow, should arm himself with a good spear, or with a bow and a sheaf of twenty four arrows. An act was passed, which prohibited all persons holding fiefs in Scotland from sending money or rents out of the kingdom, under severe penalties. This parliament settled the succession to the throne. In the event of the King dying without a lawful male heir, Robert, the son of the Princess Marjory, should succeed to the crown and kingdom; and in the event of the succession falling to a minor, Randolph, Earl of Moray, should be appointed tutor to the heir and guardian of the kingdom, and, failing him, Sir James Douglas. The rule of succession was then settled thus:—"The male nearest to the King at his death, in the direct line of descent, should succeed to the Crown, and, failing such, then the nearest female in the same line; and, failing the direct line, then the nearest male in the collateral line, respect always being had to the right of blood by which the last king reigned."<sup>26</sup>

Edward II. attempted to retake Berwick, but failed. To divert Edward from the siege of Berwick, the Scots marched into Yorkshire and wasted the country. This continual warfare was ruinous to both kingdoms; and on the 21st of December 1319, a truce was concluded for two years. About this time the Pope renewed his excommunication of Bruce and his adherents: many denunciatory edicts had been issued from Rome against Bruce and Scotland since he mounted the throne, and England had done all that she could to increase their number and to enforce them. The immaculate Edward II. pretended that he could not treat with an excommunicated man like Bruce without a papal dispensation. Thus obstacles were constantly thrown in the way of peace, and the policy of King Robert was greatly hampered. At the same time, it was keenly felt that the attitude of the King and the nation towards the head of the Church was unsatisfactory. Therefore it was resolved by a parliament, which met in the Abbey of Arbroath in April 1320, to prepare an address to the Pope, and present to him the real state of the nation. This address

<sup>26</sup> *Acts Parl. Scot.*, Vol. I., pp. 105-114.

is of much historic and constitutional importance, and may be quoted at some length. After referring to the antiquity of the kingdom and its long line of kings, the conversion of the nation by Saint Andrew, and the many favours which preceding popes had granted to the kingdom, it proceeds :—

“So that our nation under their protection has hitherto continued free and peaceful, until that prince, to wit, the King of the English, Edward, the father of him who now is, under the semblance of a friend and ally, in a most unfriendly way harassed our kingdom, then without a head, and our people conscious of no guilt, and at that time unaccustomed to wars : and the injuries, slaughters and deeds of violence, plunderings, burnings, imprisonments of bishops, spoilations and murders of men of religion, and other outrages, which this prince perpetrated on the people, sparing no age or sex, religion or order, no one could describe or fully understand but he who has learned it from experience. From these innumerable evils, by the help of Him who, after wounding, heals and restores to health, we were freed by our most gallant prince and king, Lord Robert, who, for the delivering of his people and heritage from the enemies’ hands, like another Joshua, has cheerefully endured toil, fatigue, hardship, and danger. The Divine Providence, the laws and customs of the kingdom which we will maintain till death, the right of succession, and the due consent and assent of all the people, have made him our prince and king. To him we are obliged and resolved to adhere in all things, both on account of his right and his merits, as the person who has restored the people’s safety, and will defend their liberty. But, if this prince should leave those principles which he has so nobly pursued, and consent that we or our kingdom be subjected to the King or people of England, we will immediately endeavour to expel him as our enemy and the subverter of his own and our rights, and make another king who would defend our liberties ; for, so long as one hundred of us remain alive, we will never consent in any way to subject ourselves to the English. Since it is not for glory, nor riches, nor honours, but liberty alone that we fight and contend for, which no good man will lose but with his life. For these reasons, Reverend Father and Lord, we earnestly beseech and entreat your Holiness, . . . to deign to admonish and exhort the King of England to rest satisfied with his own dominions, seeing that of old England was enough for seven kings or more, to let us live in peace in our small kingdom of Scotland, beyond which we have no habita-

tion, and desire nothing but our own, . . . if your Holiness do not implicitly believe these things, but trusting too much to the reports of the English, and thus continue to favour them to our destruction, we must believe that the Most High will lay to your charge all the loss of life, the ruin of souls, and other evils which they will inflict on us and we on them. . . . We commit the defence of our cause to the Supreme King and Judge, casting our care on Him and firmly trusting that He will give courage to us and bring our enemies to nought."<sup>27</sup>

This spirited and constitutional address had an immediate effect at the papal court ; the severe measures against Scotland were suspended for some time. Sir Adam Gordon and another baron were sent as ambassadors to the papal court, and the Pope consented to address Bruce by the title of the King of Scotland. But no final settlement of the difficulty was obtained. In September 1320, commissioners were appointed by England, empowered to treat with Scotland for peace ; but it appeared that Edward II. and his government were not sincere, as they shortly after announced their intention to make peace by force of arms.<sup>28</sup>

Another great invasion of Scotland was resolved on, and in August 1322, Edward II. marched into the doomed kingdom at the head of an army numbering one hundred thousand men. Bruce adopted the tactics of starving out the enemy, and all the cattle and provisions in the Merse and the Lothians were removed to places beyond the reach of the invading host. This was completely effective, as Edward II. and his vast army, without striking a single blow, were compelled to retreat in a state of wretchedness ; many of the soldiers having died from starvation and the effects of the fine generalship of their King. In their retreat the English were harassed by Douglas and Randolph, who, with a body of the Scots, hung on their rear and slew the stragglers. When Bruce received tidings of the success of his tactics, he immediately recrossed the Forth, marched rapidly southward, and with a strong army advanced into England. On hearing that Edward II. was encamped with the remnant of his army at Biland Abbey in Yorkshire, Bruce determined to surprise him, and at once marched forward. He found his enemies posted in a strong position on the summit of a steep hill, accessible only on one side. But the sagacity and experience of Bruce was equal to the occasion ; and he

<sup>27</sup> *National MSS.*, Pt. II., No. 24.

<sup>28</sup> *Fœdera*, Vol. II., pp. 431, 481.

ordered a party of the men of the Isles and Argyle to march to a certain spot at the foot of the hill, and then climb the rocks and attack the flank and rear of the enemy posted on the summit. The Islemen shortly reached the ridge of the hill and drove the English from the heights, and then the main body of the Scots advanced and attacked the enemy. The English were completely defeated, and fled in all directions; Edward escaped and rode to York, hotly pursued by the Steward of Scotland. The baggage of the army, the privy seal of England, and several prisoners of note, amongst whom were the Earl of Richmond and Henry de Sully, fell into the hands of the Scots. They proceeded to waste the country and advanced to the banks of the Humber, levying contributions. In the middle of October they returned home with their booty.<sup>29</sup>

Indeed it had become manifest that if peace was not soon concluded with Scotland, the consequences would be disastrous to England. The inhabitants of the border counties of England saw and felt that Edward II. was quite unable to protect them; and if the war was to be continued, it seemed probable that these counties would soon be annexed to Scotland. The prospect of this induced the English government to make proposals of peace. Still the difficulty of Edward II. and his advisers was their extreme reluctance to recognise Bruce as the King of an independent kingdom; a truce, however, was agreed to, on the 7th of June 1323, which was to continue in force for thirteen years.<sup>30</sup>

Although Edward II. and his government were very anxious for a truce with the Scots, they were loth to relinquish their ideas of the conquest of Scotland, which they had received from the great hammer—Edward I. Accordingly Edward II. continued his efforts to stir up the Pope against Bruce and the Scots; and he intimated to the Pope that the Scotch clergy encouraged the people in their rebellion to the utmost; and by their contempt of the solemn censures of the Church, they had certainly incurred the suspicion of heresy; and therefore he thought that no Scotsman should be elected to the office of a bishop in his native land. Bruce sent Randolph, the Earl of Moray, to the papal court; and he so far succeeded as to induce the Pope to address a Bull to Bruce with the title of King. On his way

<sup>29</sup> *Walsingham*, Vol. I., p. 166; *Barbour's Bruce*; *Hailes' Annals*, Vol. II., pp. 216-218.

<sup>30</sup> *Fœdera*, Vol. II., p. 510, *et seq.*



home, Randolph was joined by other Scotch envoys, and they concluded a treaty of alliance with France, in which it was agreed that in future wars with England, France and Scotland were to assist each other against her.<sup>31</sup>

Further attempts were made to arrange a final peace; but the English government was still invidious, and persistently continued to instigate the papal court to renew its denunciatory edicts against Scotland. On the 20th of January 1327, Edward II. was dethroned. He was murdered on the 21st of September, the same year; and his son was crowned on the 25th of January under the title of Edward III. The new King and government of England, however, was not inclined to recognise the independence of Scotland, and the negotiations were broken off. The truce was terminated, and both kingdoms prepared for a renewal of the struggle.

The King ordered the Scots to muster, and in June 1327, an army of twenty thousand men, under the command of Randolph and Douglas, marched over the western border and plundered Northumberland. They out-manceuvred the English army, and after staying three weeks in the enemy's country they returned home. Preparations were immediately made for another expedition. Bruce himself at the head of a large army invaded England; one division of the army under the King besieged the castle of Norham; another division attacked the castle of Alnwick; and the third division proceeded to waste the open country of Northumberland. Thus Bruce by his energy at last compelled the English government to sue for peace on equal terms, as commissioners came to the Scottish camp and offered proposals of a peaceful character. One of these was, that a marriage should be contracted between David, the King's son, and Joanna, the sister of Edward III.

But Bruce determinedly insisted that the independence of Scotland should be first recognised as the basis of any treaty between the two kingdoms. This was conceded. In a Parliament held at York, on the 1st of March 1328, it was agreed that England should renounce for ever all claims of superiority over Scotland; the main points of this document were these:—"Whereas we, and others of our predecessors, Kings of England, have endeavoured to obtain a right of dominion and superiority over the kingdom of Scotland, and have thereby been the cause of long and atrocious wars between the king-

<sup>31</sup> *Fœdera*, Vol. II., p. 541.

doms, . . . we have, by the assent of the prelates, barons, and commons of our kingdom, in parliament assembled, granted, and hereby do grant, for us, and our heirs and successors, that the kingdom of Scotland shall remain for ever to the magnificent prince and lord, Robert, by the grace of God the illustrious King of Scots, our ally and dear friend, and to his heirs and successors, free, entire, and separated from the kingdom of England by its respective marches, as in the time of Alexander III., King of Scotland, without any subjection, servitude, claim or demand whatsoever. And we hereby renounce and convey to the said King of Scotland, his heirs and successors, whatsoever right we or our ancestors in times past, have laid claim to in any way over the kingdom of Scotland. And we renounce and declare void, for ourselves and our heirs and successors, all obligations, agreements, or treaties, touching the subjection of the kingdom of Scotland and the inhabitants thereof, entered into between our predecessors, and any of the Kings thereof, or any of their subjects."

After the adjustment of this preliminary condition, the negotiations proceeded smoothly and rapidly; the treaty of peace was concluded at Edinburgh on the 17th of March 1328, and formally ratified by the English parliament at Northampton, on the 4th of May, the same year. The stipulations of the treaty of peace may be indicated thus: The King of England and the King of Scotland promised to be faithful allies of each other; reserving the obligations of the King of Scots to his ally, the King of France. If the Irish people rebelled against the King of England, the King of Scots should not assist them; and, if any one rose in arms against the King of Scots in the Isle of Man or in the other islands of Scotland, the King of England should not assist them. It was provided that a marriage should be solemnised between David, son and heir of the King of Scots, and Joanna, sister of the King of England. Scotland agreed to pay a sum of £20,000 sterling to England, within three years, at three separate terms: further, it was stipulated that Sir James Douglas should be reinstated in the lands which he had forfeited in Northumberland; and that Henry Beaumont, Earl of Buchan, Thomas, Lord Wake of Liddell, and Henry Percy, should be restored to their lands and lordships in Scotland. The King of England promised to aid in obtaining the recall of all proceedings instituted by the Pope's authority against the King and people of Scotland.<sup>32</sup>

<sup>32</sup> *Acts Parl. Scot.*, Vol. I., p. 126; *National MSS.*, Part II., No. 26; *Fœdera*, Vol. II., pp. 762, 806.

Robert I. had now secured to the people of Scotland the full acknowledgment of their national independence and liberty. To obtain this he had struggled hard and long against fearful odds, cheerfully endured the utmost privation, and bore with a strength of spirit unrivalled in the annals of the world, the successive blows of bereavement inflicted upon him by the implacable rage of his enemies. The justice and the glory of his culminated achievement, was amply attested by his enemies, when they at last pleaded guilty as above, admitted, and stated that they had been the cause of the manifold and extreme suffering inflicted upon the people of Scotland and the people of England.

The King's son, David, who had been made Earl of Carrick, a boy five years of age, proceeded with a large retinue from Cardross to Berwick to meet his bride; and there Joanna, a girl of eleven years, was handed over, in accordance with the treaty, to Sir James Douglas and the Earl of Moray. On the 18th of July 1328, the marriage was celebrated at Berwick, amid great rejoicing. Robert I. was unable to be present at the marriage of his young son, as he had been for years afflicted with an illness brought on by the privations which he had endured in the early stage of his career. In the latter years of his life, he spent much of his time at Cardross on the Clyde, a manor which he acquired in 1326. He occupied his attention and in some measure assuaged the tedium and pain of his malady by improving his residence at Cardross. He repaired the park there, and greatly improved the garden; he had a house for falcons which was surrounded by a hedge, and it appears that he kept a pet lion. The Earl of Moray, Randolph, was often with the King, and both devoted much of their time to shipbuilding. The King had a ship of his own which plied on the Clyde and the neighbouring waters. At Cardross the King lived in a quiet but hospitable style, as appears from the large number of sheep, salted salmon, haddocks, eels, lampreys, and other provisions which were consumed. He gave gifts and pensions to a number of persons, and charities to poor men.<sup>33</sup>

Robert I. had done his work; and when he found his life drawing to its close, he dictated a letter to his son, giving him his last paternal advice, and directing that his heart should be buried at Melrose. A portion of this letter may be quoted:—"Robert, by the grace of God King of the Scots, to David his most beloved son and the rest of his successors, wishes health, and so to keep his precepts that they may reign

<sup>33</sup> *Exchequer Rolls of Scot.*, Vol. I.

with his blessing. Dearest son, he appears worthy to be esteemed a son, who, imitating his father's example in good things, endeavours to follow out his devout wishes, nor does he properly take the name of heir who does not adhere to the goodly designs of his predecessor. Desiring therefore that you, and the rest of our successors, should follow out in devout sincerity that pious love and sincere regard which we have conceived toward the Monastery of Melrose, where, of our special devotion, we have appointed our heart to be buried . . . And this exhortation, supplication and command, do you our son, and the rest of our successors, take care with earnest resolution to fulfil, if ye would have our blessing together with the blessing of the Son of the Most High King, who taught sons to do the will of their fathers, in that which is right. . . . And in witness of our devotion towards Melrose, so loved and chosen by us, we give this present letter to the aforesaid religious, to be shown to our successors in time to come."<sup>34</sup> This letter was written twenty-seven days before the King's death, yet we know that the instructions which it gave touching the burial of his heart were superseded by a later expression of his wishes. There appears to be no doubt that Bruce in his last hours besought Sir James Douglas to carry his heart to Jerusalem. It is also certain that Douglas actually made an attempt to fulfil the wishes of the King, although he failed to reach Jerusalem. It is, however, uncertain what became of Bruce's heart in the end.

Robert I. died at Cardross on the 7th of June, 1329, in the fifty-fifth year of his age, and thus ended a remarkable career and a memorable reign. His remains were interred in the choir of the Abbey Church of Dunfermline, and a marble monument, made in Paris, was erected over the grave. Bruce married Isabella, a daughter of the Earl of Mar. By her he had one daughter, Marjory, who married Walter the Steward of Scotland. Bruce's second wife was Elizabeth, a daughter of the Earl of Ulster, and by her he had two sons, David, mentioned in preceding pages, and John, who died in infancy, and two daughters. King Robert had two natural sons, Walter of Odistown, on the Clyde, who predeceased his father, and Sir Robert Bruce, who fell at the battle of Dupplin in 1332. A papal bull, dated a few days after the death of Robert I., but addressed to him, finally cleared Scotland from the interdict, and authorised the Bishop of St. Andrews, or the Bishop of Glasgow, to solemnly anoint and crown the Kings of Scotland.

<sup>34</sup> *National MSS.*, Pt. II., No. 29.



## CHAPTER VII.

*Narrative to the Return of James I.*

ON the death of Robert I., in accordance with his expressed request, Randolph, Earl of Moray, assumed the government of the kingdom. He was an energetic man, and during his short regency the kingdom was admirably governed. The regent became aware that Edward III. had begun to entertain hostile intentions against Scotland, as in 1330, Edward Baliol, a son of the deposed King John, received permission from Edward III. to reside in England as long as he pleased. Baliol, in concert with a number of nobles who had forfeited their Scotch estates, was then projecting an invasion of Scotland, under the connivance of Edward III. After the battle of Bannockburn, the nobles who held lands in Scotland, but preferred to give their allegiance to the King of England, then forfeited their lands on the north of the Tweed; as it had at last, from bitter experience, become plain that a divided allegiance had already caused enormous suffering in Scotland. Still these forfeited nobles were extremely loth to relinquish their hold upon the lands of Scotland, and, as we have seen, the claims of three of them were recognised in the treaty of Northampton. But the regent was unwilling to restore extensive territories to the sworn enemies of the kingdom.

On the 24th of November, 1331, King Robert's son, a boy of eight years, was crowned and anointed by the Bishop of St. Andrews, under the title of David II. But perils were impending. The regent received tidings of Baliol's movements, and immediately mustered an army to defend the kingdom. At this crisis the regent suddenly died at Musselburgh, on the 20th of July, 1332. The Earl of Mar was elected regent, but he had no qualification for the office, and led the nation to disaster. In the beginning of August 1332, eleven days after the death of Randolph, Edward Baliol appeared in the Firth of Forth with a fleet, and immediately landed his troops on the coast of Fifeshire. His force numbered about three thousand men on foot,

and four hundred cavalry ; and his most ardent supporters were Henry Beaumont, who claimed the earldom of Buchan, Lord Wake of Liddel, and Henry Percy. Besides these there were many others under Baliol's banner who were hungering for land in Scotland, and pretended that they had claims to it. Among the Scotch supporters of Baliol the most notable was the Earl of Athole ; he had estates in the south of England ; his territories in Athole and in Strathbogie were forfeited by Robert I., who gave Strathbogie to Sir Adam Gordon. Thus Baliol's supporters were animated by strong motives, and they marched forward to Strathern with remarkable spirit, surprised the Scotch army, under Mar, at Dupplin on the 11th of August, and completely defeated the Scots. Mar himself, Robert Bruce, Earl of Carrick, the Earl of Monteith, and many of the Scots were slain. The day after the battle, Baliol and his followers took possession of Perth, and commenced to fortify it.

The Earl of March was at the head of another Scotch army superior in numbers to Baliol's force, but it appears that he secretly favoured the invaders. March advanced towards Perth, as if he intended to attack Baliol ; but he soon disbanded his army without striking a single blow. Baliol for the moment was master, and accordingly on the 24th of September he was crowned at Scone. He then proceeded southward to Roxburgh, surrendered the independence of Scotland to Edward III., and gave up Berwick and territories on the borders to his Lord Superior. But whilst he was transacting this business, Sir Robert Keith, and James and Simon Fraser, surprised and captured Perth. A party led by the young Earl of Moray, Randolph's son, and Sir Archibald Douglas, then proceeded southward in search of the new made King, who lay encamped at Annan. At midnight they entered his camp, and after a short resistance, his men were utterly routed and many of them slain, and Baliol himself fled half-naked into England.<sup>35</sup>

Edward III. threw off the mask and openly assisted Baliol, who returned to Scotland in March, 1333. The English army besieged Berwick, and made the utmost efforts to take it. Sir Archibald Douglas, who was then regent, attempted to raise the siege, and with an army numbering about ten thousand men, attacked the English at

<sup>35</sup> Hemingford's *Chron.*, Vol. II., pp. 303, 306 ; *Register of the Great Seal*, pp. 4, 14, 15 ; Hailes' *Annals*, Vol. II., pp. 158-161 ; *Fœdera*, Vol. II., pp. 876, 888 ; Vol. III., p. 317, *et seq.*

Halidon Hill on the 20th of July. But the Scots were completely defeated, Douglas, the regent, was slain, and the Earls of Lennox, Strathern, Ross, and Sutherland, and the greater part of the Scotch army. Berwick immediately surrendered, and the southern part of the kingdom was under the heel of the invader. Baliol held a Parliament at Edinburgh in February 1334, at which he parcelled out the southern half of Scotland among his own adherents; and then formally rendered homage to Edward III., surrendering to him the remainder of the kingdom. His supporters, however, soon began to quarrel with him, as he had no real hold of the nation. The Scots still held the castles of Dumbarton, Lochleven, Lochdun in Carrick, Kildrummy, and Inverness. In May, 1334, the young King, David II., and his queen were sent to France for safety, and Philip VI. rendered material aid to the national party.

About this time Sir Andrew Moray, who had been taken prisoner, returned from England after two years imprisonment, and the Steward, who had taken refuge in the Island of Bute, also appeared on the scene, and the people began to rally round them. The invaders were driven out of Renfrew, Kyle, and Carrick, and Beaumont, the Earl of Buchan, was captured in his Castle of Dundarg, but on the payment of a large ransom was allowed to return to England. Baliol fled a second time across the Border to seek the protection of his Lord Superior. Edward III., like his grandfather, was always willing to oppress the people of Scotland, and within five years he led, in person, four successive invasions into the kingdom. During the short intervals between these invasions the Scots assailed Baliol's supporters, and allowed them no rest. The Earl of Athole wavered, and repeatedly changed sides. In the service of Edward III. he besieged the castle of Kildrummy, but in 1335 he was attacked by Sir Andrew Moray at Culblen, and defeated and slain. The fall of Athole was a severe blow to Edward III., and his tool Baliol. At a meeting held in Dunfermline, Sir Andrew Moray was elected Regent of the kingdom, and he struggled to the utmost against the enemies of the nation. Edward III. resolved to crush all resistance, and in 1336 invaded Scotland at the head of a great army. He proceeded by Perth, and thence marched to Aberdeen, wasting the country and burning villages and towns along his route. He then advanced through the counties of Aberdeen and Banff, crossed the Spey, and onward till he reached Inverness. Moray, the regent, wisely avoided a battle, but he harrassed his enemy most effectively, and Edward

returned to England without having subdued Scotland. Shortly after Edward III. concentrated his attention on France, where he found a more tempting field for his inordinate ambition.

Sir Andrew Moray, the Stewart, Sir William Douglas, and others, assisted by the body of the people, continued their efforts to expel the invaders. Several of the castles were retaken from the enemy. The upstart Baliol, when left to his own resources, soon disclosed his nakedness. The regent, Moray, died in 1338, and the Steward of Scotland succeeded him as regent. He besieged Perth, which had been for years the headquarters of the English, and the citadel of Baliol's supporters. After the siege had continued for some time, the governor of the town capitulated on terms, and he and the garrison were permitted to retire into England. By this time Baliol had become an object of hatred, suspicion, and contempt, among all classes of the Scots, and in 1339 he finally fled from the kingdom, and assumed his natural position as a pensioned dependant on England.<sup>36</sup>

The regent proceeded with the work of expelling the invaders and the re-organisation of the government. He besieged Stirling castle, which was captured in 1341; and Edinburgh castle was surprised and taken on the 17th of April the same year. At this time the regent reported to the King that the country was almost clear of the enemy, and suggested that he should return to his kingdom. The King and Queen embarked for Scotland, and landed safely at Inverbervie on the 4th of June 1341; thence they proceeded to Aberdeen, and were warmly received and hospitably entertained by the magistrates and the citizens. After a short stay in the city, the royal party paid a visit to the aged sister of Robert I., the widow of Sir Andrew Moray, who then resided in the castle of Kildrummy. The King returned to Aberdeen, and was present at a council held there on the 21st of February 1342; and on the 14th of April he was again at Kildrummy. This year the King sojourned for some time at Ayr, and visited Dumbarton, Stirling, Linlithgow, Haddington, Inverkeithing, Cupar, Scone, and other towns. The King along with the Queen and his sisters spent a night at Banff; and in August and November he was again at Kildrummy; on this occasion the royal party stayed for some time at Aberdeen. It appears that the King took part in the popular amusements of the period. So far it

<sup>36</sup> *Exchequer Rolls of Scot.*, Vol. I.; Hemingford's *Chron.*, Vol. II., pp. 336-340; Buchanan's *History of Scot.*, B. IX., Ch. 27.



seemed that the young King had a bright future before him, and it was evident that the people had great faith and hope in the son of Robert I.<sup>37</sup>

David II. was then a youth of eighteen years, and, on his return from France, the Steward gave over the government to him. The state of the kingdom then needed a ruler who possessed the characteristics of energy, sagacity, and experience, but unhappily it became apparent that David II. lacked these qualifications. The war with England still continued on the borders; a truce was concluded in 1344, which was to continue till November 1346; but so long as the English held any portion of the kingdom, the Scots could not refrain from attempting to recover it.

In 1346, at the request of his French ally, David II. mustered an army at Perth and marched southward. He entered England by the western marches and plundered the country, advancing as far as the neighbourhood of Durham. There the English army approached, and the Scots hastily formed for action in three divisions. Their left wing was under the Steward, their right under the Earl of Moray, and their centre led by the King himself. At Neville's Cross, on the 17th of October, the English began the battle by an attack on the right wing of the Scots. The Earl of Moray was slain, and his division was driven back and thrown into disorder; the English then assailed the centre in flank and in front; but David II. fought bravely, and for three hours he maintained the contest against fearful odds; although severely wounded, he continued to encourage his men, who fell fast around him, till he was seized and disarmed by the enemy. When the royal banner fell, the Steward retreated with the remnant of his army. The battle was extremely disastrous to the Scots. The High Chancellor of Scotland, the Chamberlain, the Marshall and the Constable, the Earls of Moray and Strathern, many other nobles, and about fourteen thousand men were slain upon the field. While the King, the Earls of Fife, Sutherland, Monteith, and many other nobles and knights were taken prisoners. The King and the prisoners were conveyed to London. By the orders of Edward III., the Earls of Monteith and Fife were selected as traitors, and tried and condemned. Monteith was executed with all the shocking cruelties of the English law of treason, but Fife's life was spared.<sup>38</sup>

<sup>37</sup> *Exchequer Rolls of Scot.*, Vol. I.

<sup>38</sup> *Walsingham*, Vol. I., p. 269; *Hist. Scot.*, Winton, Vol. III., pp. 476-477; *Rotuli Scotia*, Vol. I., pp. 690-696, 705; *Fœdera*, Vol. III.

The English followed up their victory, entered Scotland, and overran anew the greater part of the kingdom south of the Forth. The castles of Roxburgh and Hermitage were surrendered to the enemy. But the national spirit of resistance survived the calamitous defeat of Durham. The Steward was elected guardian of the kingdom, and he assumed the functions of his office, and exerted himself to the utmost to maintain the liberty of the nation. In 1347 a truce was concluded between England and France, which included Scotland, and it was continued by renewals to 1354.

The adjustment of the King's ransom was a most difficult and tedious matter. It appeared that the main aim of Edward III. was to extort an enormous ransom for his royal prisoner, accompanied by stipulations which the Scots, impoverished to the brink of utter ruin by a war of fifty years, would be unable to implement; by this and secret intrigue, Edward hoped and endeavoured to obtain possession of the throne of Scotland. Attempts were made to treat with David II. on conditions entirely subversive of the independence of Scotland; the poor, captive King, however, could give no assurance that such conditions would be fulfilled, so this came to nothing. After many abortive negotiations and much wrangling, the King's ransom was fixed at 100,000 marks, to be paid to England by ten yearly instalments of 10,000 marks; twenty hostages drawn from the chief families of the kingdom were to be placed in the hands of the King of England until the ransom was paid; and a truce was to be observed between the two kingdoms for ten years. The treaty was concluded at Berwick on the 3rd of October 1357, and the payment of the first instalment of the ransom was to be due on the 25th of June 1358. After the ratification of this treaty David II. was released and returned to Scotland.<sup>39</sup>

The first matter that demanded attention was how to raise the money to pay the annual instalment of the King's ransom. On the 6th of November 1357, David II. met his Parliament which assembled at Scone to concert measures to raise this money. It was proposed that the King should be empowered to purchase all the wool and fleeces in the kingdom at the price of four marks for each sack of wool, which was two-thirds of the actual market price of wool at the time, thus giving two marks as a tax on every sack. The Estates sanctioned this provision. Directions were given for a re-valuation of

<sup>39</sup> *Fœdera*, Vol. III., pp. 242, 365, *et seq.*; *Acts Parl. Scot.*, Vol. I., p. 155 *et seq.*

all the lands and rents of the kingdom; the produce, corn, cattle, sheep, and every kind of goods, and also lists of the names of all the merchants and tradesmen in the country, as a tax was to be laid on the rents and profits of land according to their real value; and an inquiry was to be made as to how much each person was likely voluntarily to contribute toward the payment of the King's ransom. Various arrangements were made for collecting these taxes, and for punishing those who might attempt to avoid payment. It was then enacted that all the lands, rents, and other rights of the Crown which had been alienated should now be resumed; that such alienations by the King in the future should not be made without mature deliberation with his council. The great customs of the Crown were raised to three times their former amount.

The payment of the King's ransom pressed extremely hard upon the impoverished nation. In spite of all the efforts of the parliament and the people, the payment of the annual instalment fell into arrears. This caused new arrangements to be proposed and concluded, which always entailed more expense and increased the national taxes and debt. The King himself was irregular and extravagant in his habits. It seems that after his release he found little in Scotland to satisfy him, as he frequently returned to England, and thus he entailed more annoyance and expense upon his people; while the internal government of the kingdom was neglected and the higher nobles became turbulent and lawless.<sup>40</sup>

David II. had no children by his wife, the princess Joanna, and she died in England on the 14th of August 1362. The following year the King married Margaret Logie, but he had no family by her, and it seems she had been superseded by a new favourite, Agnes of Dunbar, a daughter of the Earl of March, who had attracted David's attention. Accordingly, in 1369 David II. divorced his queen, Margaret Logie. These facts enable us in some measure to understand the public conduct of David II., and his proceedings with Edward III., touching the succession to the throne of Scotland.

In the month of October 1363, David II. proceeded to London, and a project was then matured for transferring the Crown of Scotland to England. The main points of the project agreed on between Edward III. and David II., were that an immediate discharge of the ransom would be given, on the condition of the Crown of Scotland

<sup>40</sup> *Acts Parl. Scot.*, Vol. I., pp. 133-134.

being settled on Edward III., in the event of David leaving no male issue ; and elaborate provisions were framed for preserving the separate laws and institutions of Scotland. David II. undertook to ascertain the inclinations of the Scots on the matter, and report the result to Edward. In a parliament held at Scone on the 4th of March, 1364, David suggested that the Estates should choose Edward III., or one of his sons, to fill the throne of Scotland after his own death ; but the Estates rejected the proposal and threw it out with scorn, although they were quite willing to make great concessions for peace. The negotiations were continued ; and at a General Council, which met at Perth on the 13th of January, 1365, in order to obtain peace and relieve the kingdom from its financial embarrassment, the meeting agreed to offer to restore the forfeited nobles to the estates which they claimed in Scotland, to settle the Isle of Man and the lands of the Baliols on one of Edward's sons, if the unpaid balance of the ransom was totally remitted. The result of this was a treaty, which was ratified by David II. on the 12th of June, 1365, and by Edward III. on the 20th of the same month. This treaty contained an agreement to pay £100,000 by annual instalments of £4000 ; and a truce to continue for four years. The Scots desired a peace for a much longer period, and sent envoys to England empowered to make further concessions. But Edward III. expected greater concessions than the Scots were even yet prepared to yield, before he would listen to proposals of a permanent peace. At a council which met at Holyrood on the 8th of May, 1366, it was declared that the proposals of Edward III., touching the homage, the succession, and the dismemberment of the kingdom, were intolerable, and could not be admitted as matter for deliberation. The Estates were to attempt, if necessary, to pay the whole ransom within the four years of the truce ; and, with this in view, valuation rolls of all the lands in the kingdom were ordered to be presented to the next parliament.<sup>40</sup>

When parliament met at Scone on the 20th of July, 1366, the new valuation, which had been made under the Act of 1357, was laid before it. Orders were then issued for a further valuation of the property of burgesses and husbandmen, to be presented to a council which was to be held on the 8th of September next. But £8000 had to be raised immediately to pay the debts of the King and the expenses of the envoys, who were again to proceed to England and

<sup>40</sup> *Fœdera*, Vol. III., pp. 715, 770 ; *Acts Parl. Scot.*, Vol. I., pp. 134, 137-139 ; *Exchequer Rolls of Scot.*, Vol. II.



attempt to negotiate for a peace or a truce to continue for twenty-five years. The efforts to obtain peace or a long truce with Edward III. failed, and he seemed to be resolved on driving Scotland to the utmost extremities. The extravagance of David II. was excessive, considering the financial condition of his kingdom ; he had borrowed large sums from burgesses both in Scotland and in England. In spite of all the efforts to extricate the nation, her financial difficulties were increasing.<sup>41</sup>

Meantime the kingdom was drifting into a deplorable state of internal disorder. The nobles were becoming lawless ; and it appears that the Earl of Ross, the Lord of Lorne, some other nobles, and John, the Lord of the Isles, had declined to pay their share of the national taxes, and defied the royal authority and absented themselves from the meetings of parliament. But in 1369 the Earls of Ross and Mar promised to assist the royal officers within their territories, and the Steward promised to extinguish disorder in the districts of Athole, Strathern, and Monteith. The Lord of the Isles, however, maintained that his vassals were under no obligation to pay any portion of the national taxes. In the end of the year 1369 he tendered his submission at Inverness, and undertook to assist the royal authority ; and he actually paid a contribution to the national tax.<sup>42</sup>

The four years truce was almost expired ; year after year Edward III. had spurned all the concessions and offers and efforts of the Scots to make a lasting peace between the two kingdoms. The Scots were burdened with a load of taxation, and the national debt was still accumulating, while the prospect of a renewal of the war was impending over the nation. But the historic relations between England and France took a sudden turn, and war ensued between them. Edward III. then thought fit to come to terms with Scotland, and granted a truce for fourteen years, which was proclaimed on the 18th of June, 1369, and ratified at Edinburgh on the 20th of July, and at Westminster on the 24th of August. By this treaty 56,000 marks were recognised as the balance of the ransom due, which the Scots undertook to pay by annual instalments of 4000 marks. All other claims under the treaty of 1365 were cancelled ; Edward III. also allowed the Scots half the rent of the lands subject to him in the

<sup>41</sup> *Acts Parl. Scot.*, Vol. I., pp. 140-143 ; *Exchequer Rolls of Scot.*, Vol. II.

<sup>42</sup> *Exchequer Rolls of Scot.*, Vol. II., p. 431 ; *Acts Parl. Scot.*, Vol I., pp. 145-149.

sheriffdom of Roxburgh.<sup>43</sup> In January 1370, David II. paid his creditors by a composition of 13s. 4d. in the pound ; and a parliament which met in February 1370, at Perth, cancelled all the remaining debts which he had contracted before 1368, and then enjoined his majesty to live within his means for the future. The instalments of the ransom were pretty regularly paid up till 1377, but it seems that a balance of 24,000 marks was never paid.<sup>44</sup>

David II. had been a costly King to the Scots. The circumstances in which he was placed in his youth were unfavourable to the development of his faculties, his character, and his habits. He was not responsible for his marriage with Joanna, the sister of Edward III. ; he was not responsible for his residence in France, or for his training there : these were the result of the exigences of the position of the nation. This partly accounts for the strange career which he ran after his return from France, and his unfortunate capture at Durham. His race was approaching its close, and he died on the 22nd of February, 1371, in Edinburgh Castle, in the forty-seventh year of his age, after a nominal reign of forty-two years.

David II. having died without issue, under the settlement of 1318, was succeeded by his nephew, Robert, the Steward of Scotland. He was crowned and anointed by the Bishop of St. Andrews at Scone on the 26th of March, 1371, under the title of Robert II., in presence of the nobles, the clergy, and a great assemblage of the people from all quarters of the kingdom. Robert II. was then in his fifty fifth year, and, as we have seen, he had been twice regent. He was a man of ability and good judgment, and was inclined to follow the paths of peace, but unhappily the Scotch nobles were not as yet disposed to tread in the quiet walks of life. The King had been twice married, and had a large family of sons and daughters. The day after his coronation, in the parliament assembled for the occasion, a declaration was read and passed touching the succession to the Crown, a part of which may be quoted :—"The most serene Prince Lord Robert, by the grace of God the illustrious King of Scots, being at Scone at the time of his coronation, the bishops, earls, barons, and others of the clergy and people of his kingdom assisting, after the solemn rites of the anointing and coronation completed, and a declaration made of the

<sup>43</sup> *Fœdera ; Rotuli Scotiæ*, Vol. I., p. 924.

<sup>44</sup> *Fœdera ; Exchequer Rolls of Scot.*, Vol. II. The point of the non-payment of this balance is discussed in the Preface to the third volume of the *Exchequer Rolls*. See pp. 54-59.

law by which the most serene prince succeeded, and ought to succeed, as well by nearness of blood as in virtue of a certain declaration made in the time of Lord Robert, of illustrious memory, King of Scotland, the grandfather and predecessor of the said Lord our King, there produced and read : also having received the usual oaths of homage and fealty from the bishops, earls, barons, and others of the clergy and people there present, which of old were accustomed and required to be taken at the coronation of the kings of Scotland ; and willingly, after the manner and example of that good King, of illustrious memory, Robert, his grandfather, in presence of the clergy and people, to declare there his successor and true heir, although with regard to him it was, and is evident, yet for the greater certainty and with the unanimous consent and assent of the said bishops, earls, nobles, and great men indicated, asserted and acknowledged, declared and willed, that when it shall happen that he, by the Divine dispensation, departs this life, the Lord John, his first born son, Earl of Carrick and Steward of Scotland, shall and ought to be his true and lawful heir ; and, the Lord so ordaining, shall and ought to sit upon the throne of his kingdom.” In 1373, in a Parliament held at Scone on the 4th of April, another declaration was made which limited the succession to the male line. The reasons given for this limitation were that evils and calamities had happened from the succession of female heirs. The assembled Estates of the realm—“declared, ordained, and enacted that the sons of the King of his first and second wives now born, and their heirs male only, shall succeed one after another to the said King in the kingdom and in the right of reigning ; and the said Lord John and his heirs—male happening to fail, but may it not be, the Lord Robert, Earl of Fife and Menteith, the second born son of our Lord the King by his first wife, and his heirs—male only, shall in turn and immediately succeed to the kingdom and the right of reigning ; and the said Robert and such heirs of his happening also to fail, but may it not be, the Lord Alexander, Lord of Badenoch, the third born son of our Lord the King by the same wife, and his heirs male only, shall, after their death, in like manner, in turn and immediately succeed to the kingdom and the right of reigning ; and the said Lord Alexander and his heirs happening in like manner to fail, but may it not be, the Lord David, Earl of Strathern, son of our Lord the King, born of his second wife, and his heirs—male only, the said parties thus failing wholly, shall, in like manner, in turn and immediately succeed to the

kingdom and the right of reigning ; and the said Lord David and his heirs happening in like manner to fail, Walter, son of our Lord the King, and his heirs male only, shall in like manner succeed to the kingdom and the right of reigning : and the aforesaid five brothers and their heirs-male from them descending, happening finally and wholly to fail, but may it not be, the true and lawful heirs of the royal blood and parentage shall thenceforward succeed to the kingdom and the right of reigning." The above was enacted and ordained by the Estates of the kingdom, and the bishops, earls, nobles, and others present, each individually touched the "Holy Gospels and swore their bodily oath that they would inviolably observe these declarations, ordinances and statutes for themselves and their heirs, and cause them to be observed for ever by others to the utmost of their power. And immediately thereafter the whole multitude of the clergy and the people in the church of Scone, before the great altar, being specially convened for that purpose, the aforesaid declaration, ordinance, and statute thus sworn, being explained to them in a loud and public voice, each raising his hand, after the manner of faith-giving, in token of the universal consent of the whole clergy and people, publicly expressed and declared their consent and assent. In witness of all which our Lord the King ordered his great seal to be affixed to the present writing. And for the greater evidence and fuller security all the bishops, earls, barons, and nobles above named caused their seals to be affixed to this writing for the sake of testimony and for a perpetual memorial to posterity."<sup>45</sup>

In the spring of 1371 Archibald Douglas and three other envoys were sent to France, empowered to treat for the renewal and the amendment of the former treaty of friendship and alliance between the two kingdoms. On the 30th of June, at Vincennes, the new treaty was concluded, and ratified by Robert II. at Edinburgh on the 28th of October. The two nations agreed to mutually assist each other against English aggression, and that no truce or peace should be concluded by either kingdom in which the other was not included ; this was an important stipulation, which past experience had no doubt suggested to the Scots. In the event of a disputed succession for the crown of Scotland the king of France should support the right of the man whose claims were sanctioned by the Parliament of the kingdom. The truce with England was continued, although it was not strictly observed on either side. So long as England held

<sup>45</sup> *National MSS.* Pt. II., Nos. 43 A, 43 B.



portions of Scotch territory in the southern countries, the Scots could not refrain from driving out the invaders, but they frequently went farther and made destructive and irritating raids into the north of England.

Robert II. was anxious for peace, but a number of his nobles and several of his own sons delighted to make inroads into England. In 1380 the Duke of Lancaster advanced to the Border with a strong army to check the raids of the Scots and make peace. The Earls of Douglas and March and the Bishops of Glasgow and Dunkeld were commissioned to meet the Duke of Lancaster at Berwick, where a truce was concluded to continue for a year. Lancaster then disbanded his army, and promised to meet the Scotch commissioners in the summer of 1381 to continue the negotiations. The Earl of Carrick and other Scotch envoys met the Duke of Lancaster near Ayton, in Berwickshire, and they agreed to a renewal of the truce for three years; but a party of the Scots, in spite of the orders of the King, would not desist from hostilities.

The French Government had resolved to stimulate the Scots against England. In May, 1385, a French force of two thousand men arrived at Leith, under the command of John de Vienne, Admiral of France. The French Admiral also brought with him a thousand stand of arms, and fifty thousand franks of gold. The gold pieces were distributed between the King and the chief nobles; but there was much difficulty in finding quarters for the French army. As Edinburgh could only afford quarters to a limited number, parties of them were billeted in Dalkeith, Dunfermline, Kelso, Dunbar, and other places. They gave the Scots much annoyance, and their foraging parties were sometimes resisted by them. Misunderstandings and quarrels arose between the French soldiers and the people, and on the 1st of July Parliament passed an ordinance, to which the French Admiral agreed, to regulate the relations between the French soldiers and the Scotch people. In this ordinance it was stated that no pillage was permitted in Scotland, under the penalty of death, and everything which the French troops required from the people was to be duly paid. If one soldier killed another he should be hanged, and if any servant defied a gentleman, he should lose his ears. If a riot arose between the French and the Scots no appeal to arms should be permitted, but the ringleaders should be immediately arrested, and tried and punished by a council of officers.<sup>46</sup>

<sup>46</sup> *Acts Parl. Scot.*, Vol. I., pp. 190, 191.

But the French had the pleasures of a raid into England, and of wasting Northumberland to the gates of Newcastle. The French and Scotch modes of warfare, however, were so different that disputes arose between the leaders of the Scots and the Admiral. The French commander insisted that they should face the English in battle, and at once strike a blow; the Scots said such an attempt would be disastrous. The dispute waxed warm; the Frenchmen talked contemptuously of the spirit of their allies, and they were only silenced when taken to the top of a mountain and shown the strength of the enemy's force. Still the French Admiral said, "if you do not give the English battle they will destroy your country." The Earl of Douglas replied, "Let them do their worst, they will find but little to destroy." The English army entered Scotland and advanced to Edinburgh, burning empty villages and homesteads, and plundering the churches and monasteries. But provisions soon began to fail, and many of the English troops perished from want of food, and their commander was forced to order a retreat. Meanwhile the Scots and their French allies invaded and plundered the district of Cumberland.<sup>47</sup>

After returning from the raids to Edinburgh, the French prepared to go home. The Admiral settled various claims for damages and injuries which the Scots alleged to have been caused by the French troops. The Scots then provided vessels in which the French troops departed, much displeased with their Scotch allies. The war with England still continued; the Scots made many destructive inroads into the northern counties of England; the result of these intensified the animosity of the two nations towards each other and produced much evil. Robert II. was averse to this incessant warfare, but the nobles followed their own counsel and disregarded the views of their King.

In the summer of 1388 the Earls of Douglas, Fife, Moray, and other nobles, held a conference, and resolved to muster an army near Jedburgh in the beginning of August, in order to make a great invasion of England. On the appointed day this army was arranged in two divisions. The first division consisted of three hundred cavalry and two thousand men on foot, under the command of the Earl of Douglas, with the Earls of Moray and March, Sir James Lindsay, and others; the second division consisted of the main body of the army, under the command of the Earl of Fife, with the Earls of Strathern, Mon-

<sup>47</sup> *Froissart*, Vol. II., pp. 49-55, 1842.

teith, Mar, and Sutherland, and Archibald Douglas. The main army marched on Carlisle, while the Earl of Douglas advanced through the eastern marches. Douglas rapidly marched through Northumberland till he reached the diocese of Durham, and then the plundering began. After wasting this district to the gates of Durham, the Scots retired to Newcastle, where Sir Henry Percy, "Hotspur," his brother, Sir Ralph, and other English barons were lying. Douglas remained two days in the vicinity of the town; but the English seemed to have imagined that the main body of the Scotch army was not far off, and therefore they did not then attack the Scots. Douglas resumed his march towards Scotland, and the Scots pitched their camp in a strong position on the banks of the Reed water, near Otterburn, thirty miles from Newcastle. Percy having ascertained that Douglas was not supported by the main body of the Scots, at once mustered five hundred cavalry and a strong body of infantry and marched in pursuit of Douglas. After sunset on the evening of the 10th of August 1388, the Scots descried Percy approaching, and their leaders were at supper when the war cry of "Percy!" "Percy!" startled them. The English attacked the Scottish camp furiously, but the camp followers defended the waggons and baggage for some time, and Douglas rapidly advanced round a wooded height and attacked the flank of the English while they were entangled in the marsh near the Scottish camp. But Percy drew back his men to firm ground and met the attack of the Scots with surprising valour. The battle raged furiously for hours. Then the Scots began to fall back, but Douglas followed by a few fought his way into the midst of the enemy, where he was borne down and mortally wounded. The combat continued to rage, and Sir James Lindsay and Sir John Sinclair found Douglas lying in a dying state, but he was able to tell them to raise his banner and cry Douglas, which was instantly done. The Scots imagining that their leader was still on his feet, assailed the enemy with unbearable fury. At last the English began to waver and then broke, and many of them were slain. Henry Percy, Hotspur, and his brother Ralph, and a number of other English barons were taken prisoners. The body of Douglas was carried to Scotland, and interred at the Abbey of Melrose.<sup>48</sup> The main body of the Scotch army, under the Earl of Fife, were plundering the western district of England when tidings of the victory at Otterburn reached them.

<sup>48</sup> *Froissart.*

While the warfare briefly touched on in the preceding pages was engrossing the attention and energy of the nobles, the material and social progress of the nation was much retarded. The power of the nobles was rapidly increasing, but the power of the Crown was becoming feeble. The age and infirmity of Robert II. rendered it necessary that something should be immediately done to maintain order in the kingdom. Robert's eldest son was lame and deemed unfit for public life ; but his second son, the Earl of Fife, was a man of energy, and in a Council held at Edinburgh in December 1388, he was appointed regent. This man, afterwards known in history under the title of the Duke of Albany, held the reins of government for many years. A truce was concluded between France and England in 1389, which was accepted by Scotland, and continued by renewals to 1399. This cheered the last days of the aged King, who had long desired peace. He died in April 1390, in the seventy-fourth year of his age and the twentieth of his reign, and was interred at Scone.

Robert II. was succeeded by his eldest son, John, Earl of Carrick. But "King John" was a name extremely odious to the Scots, owing to its association with the hapless Baliol, and Carrick assumed the favourite name of Robert. After the funeral of his father he was immediately crowned at Scone, under the title of Robert III. He was an amiable and discreet man, but he lacked the strength of character to restrain the restless and lawless nobles. His brother, the Earl of Fife, who acted as regent in the later years of his father's reign, continued to wield the chief authority under the name of Governor of the kingdom. Alexander, another brother of the King, Lord of Badenoch and Earl of Buchan, who ruled the northern part of the country, earned for himself the name of "the Wolf of Badenoch." Amongst other oppressive acts he took possession of land which belonged to the bishopric of Moray. For this he was excommunicated ; but he retaliated by advancing with a body of his followers to Elgin, and burning the grand cathedral, the chantry, and the city."<sup>50</sup>

Shortly afterwards the Wolf's natural son, Duncan Stewart, led a party of his adherents across the mountains which divide the counties of Aberdeen and Forfar, and plundered the Lowlands. In 1392 the landed gentry, headed by Sir Walter Ogilvie, Sheriff of Angus, mustered and met him at Gasklune, near the water of Isla ; but he

<sup>50</sup> *Regs. Episco. Morav.*, pp. 204, 348-349, 376, 381.



completely defeated them. Ogilvie the sheriff, his brother, and others were slain. The Government, in a General Council held at Perth, ordered Duncan Stewart and his accomplices to be proclaimed outlaws, for the slaughter of Walter Ogilvie and others. The weakness of the Crown and the lawlessness of the nobles were the most striking features of this period. The state of the kingdom and the suffering of the people were deplorable. In 1397 parliament passed an act, which opened with a declaration that continual burnings, harryings, and slaughters, were common throughout the country. It was then enacted that no one should ride through the kingdom with a greater retinue than they could pay for, as it was common for such riders to seize whatever they wanted without payment, and besides, they burned and destroyed the property of the people. Those who committed such oppressive acts in future were to suffer the penalty of death, and the sheriffs were enjoined to proclaim this statute, bring offenders to trial, and execute them.<sup>51</sup>

In a Parliament which assembled at Perth on the 27th of January, 1399, it was asserted, in the preamble to the acts, that the misgovernment of the kingdom and the maladministration of the laws should be imputed to the King and his officers. "If, therefore, the King chose to make excuses for his own shortcomings then, if he thinks fit, he can call his officers to whom he had given commission, and accuse them in the presence of his council; and their answers heard, the council should be ready to judge their defaults, since no man ought to be condemned until he be called and accused." This seems a fine and important statement, but it is quite certain that the greatest offenders were amongst those very men who drew up the statement itself, and they knew well that the feeble King was not in a position to accuse them in any way. Parliament then announced that, owing to the infirmities of the King, he could not govern the kingdom nor repress trespassers and rebels. The Duke of Rothesay, the King's eldest son, was appointed Lieutenant-General of the kingdom for three years, and entrusted with full regal power. He took the coronation oath to preserve the freedom and rights of the Church, the laws and the loveable customs of the people, to restrain and punish all manslaughterers, robbers, and other masterful misdoers, and especially all cursed men and heretics who were expelled from the Church. Parliament appointed a coun-

<sup>51</sup> *Acts Parl. Scot.*, Vol. I., pp. 208, 217.

cil to assist the Duke of Rothesay in the Government; amongst those named were his uncle, the Duke of Albany, the Earls of Douglas, Moray, Ross, and Crawford, the bishops of St. Andrews, Glasgow, and Aberdeen, and his acts as ruler were to be recorded, with the date, place, and the names of those present, that it might be known on whom to fix responsibility.

The act lately passed at Stirling touching those who rode through the country without paying their way was repeated. The sheriffs were ordered to proclaim the laws, to search out and arrest vagabonds and criminals, and bind them to appear in court and stand their trial at the next justiciary circuit.<sup>52</sup>

It appears that the King, instead of being in a position to accuse the chief offenders or the administrative officials of the Crown, was entering into bonds with the nobles for the protection of himself and his heir. Indeed, the weak monarch was reduced to the extremity of purchasing the favour of the nobles. The bonds between the King and his nobles were numerous, and assumed the form of annual grants of money under the condition that they were to defend him and his eldest son. Thus he bound himself to give large sums annually to individual nobles for the natural period of their lives, and in some instances of the lives of their children. The Duke of Albany, Lord Stewart of Brechin, Lord Murdoch Stewart, the Earl of Moray, Sir John Montgomery of Eglisam, Sir William Stewart of Jedworth, Sir William Lindsay, and many others, were parties to bonds of this character.<sup>53</sup>

The truce terminated in 1399, and war was immediately recommenced on the Borders. The Scots entered into the northern counties of England and plundered the country; the English retaliated, and thus the former mode of cruel warfare proceeded. The Duke of Rothesay had promised to marry a daughter of the Earl of March, but the young prince changed his mind, and contracted a marriage with a daughter of the Earl of Douglas; thus he incurred the bitter enmity of the Earl of March, who at once fled to England, and gave his allegiance to Henry IV. The King of England, in return for the Earl's homage, granted him lands and possessions; the Earl of Douglas then seized his estates in Scotland. Thus the personal and family affairs of two Scotch nobles embittered the political relations of both nations.

<sup>52</sup> *Acts Parl. Scot.*, Vol. I., pp. 210-212.

<sup>53</sup> *Exchequer Rolls Scot.*, Vol. III., pp. 251, 287, 280, 326, *et seq.*

Two English invasions of Scotland soon followed. The first one was led by Sir Henry Percy and the Earl of March. They marched into Scotland at the head of two thousand men, advanced through the Earldom of March, wasted the country, burned villages, and collected booty, and pitched their camp at Linton. A strong body of the Scots, under Archibald Douglas, rapidly marched from Edinburgh to attack them, but on the approach of Douglas they fled, and left their tents and plunder behind them. In the summer of 1400 Henry IV. mustered his army and marched northward, and despatched a herald to summon Robert III. and the nobles of Scotland to meet him at Edinburgh on the 23rd of August, and there to render homage to him as their Lord Paramount; but no response was returned to this ghostly demand. Henry, at the head of his army, advanced to Edinburgh, and his fleet appeared in the Forth and supplied his troops with provisions; for, unlike all his predecessors, he did not stain his name by acts of cruelty and pillage. The Castle of Edinburgh was defended by Rothesay, the Lieutenant-General of the kingdom, who had a strong and well provisioned garrison under him. The Duke of Albany mustered an army and advanced towards Edinburgh, and pitched his tents on a moor near Calder. Henry's troops began to suffer from want of provisions, and a rebellion, which was raging in Wales, caused him to return home with his army without effecting anything of the slightest importance in Scotland. He was the last English king who led an army in person against Scotland, and henceforth the scheme of a complete conquest of the kingdom seems to have been relinquished.

Rothesay was a somewhat rash young man, impatient of opposition, yet open and courageous, and not beyond hope of improvement under the sobering effect of experience. But his uncle Albany, the late governor, was an ambitious man, fond of power, calculating and crafty, and cold and pitiless: their position made them rivals, if not enemies of each other; and it seems that Albany laid a trap to ensnare the young prince, who was unable to cope with his unscrupulous relative. Sir John Ramorgny, Sir William Lindsay, and others joined Albany, and means were soon found for executing their purpose. The Bishop of St. Andrews died in 1401. It was then customary for the castle of a deceased bishop to be occupied by the Crown till the election of a new one. With this idea in his mind Rothesay was proceeding to occupy the castle of St. Andrews, but when within a mile of it he was arrested on a warrant obtained from

the King on the representations of Albany and Lindsay, and conveyed to the castle of Falkland and imprisoned. The warrant for arresting him was granted on the ground that his excesses and irregularities should be restrained. A few weeks after his imprisonment, his body was removed and interred in the monastery of Lindores, and a report issued that he had died of a bowel complaint; but the people asserted that he had been murdered by the cruel mode of utter starvation, and suspicion pointed to Albany and the Earl of Douglas as his murderers. There was a parliamentary inquiry into the cause of his death, in which it was gravely stated that "he died by the visitation of Divine Providence, and not otherwise." Albany and Douglas admitted their share in his arrest, and they and all their accomplices were indemnified for whatever breach of the law this act involved, and everyone was forbidden to spread false rumours against them.<sup>54</sup> The aged and unhappy King bitterly lamented the fate of his son, but he was utterly powerless. On the death of Rothesay, Albany resumed his position as governor of the kingdom.

The evidence that Rothesay was murdered is mainly circumstantial, but it is very strong. Although it may be difficult to see what motive the Earl of Douglas had which could have induced him to become a party to this crime—the acts of a Scotch noble of the fourteenth century were often strange—while the murdered prince was the husband of Douglas' daughter: yet the extensive territories of the Earl of March were then hanging in the balance, and may have come into Douglas' reckoning in connection with this crime. The circumstantial evidence against Albany is almost complete. The national records show that Rothesay during his few years of office was not inattentive to his public duties,<sup>55</sup> though he had not escaped from the follies of youth.

The border warfare continued, and on the 14th of September 1402, the Scots sustained a severe defeat at Homeldon Hill in Northumberland. In this battle the Earl of March fought in the English ranks against the Scots.

It was resolved that the King's other son, Prince James, a boy of fourteen years, should be sent to France for safety and to complete his education. He sailed early in March, 1406, and when off Flamborough Head he was captured by the English, conveyed to London,

<sup>54</sup> *Acts Parl. Scot.*, Vol. I., p. 220.

<sup>55</sup> *Exchequer Rolls of Scot.*, Vol. III., pp. 378, 465, 472, 402, 412, *et seq.*



and lodged in the Tower. When his guardians remonstrated, Henry IV. replied that he knew the French language very well, and therefore his father could not have sent him to a better master. The Duke of Albany seems to have looked at the capture of the prince very calmly, but when the tidings of his son's capture reached the unhappy King he sank rapidly, and died on the 4th of April, 1406, having reigned sixteen years. His remains were interred in front of the high altar in the Abbey Church of Paisley. On the death of Robert III. the captive prince was recognised as the heir to the throne, in a Council which met at Perth in June; and Albany, as the next in the male line of succession, was elected regent, and continued to rule the kingdom. In February, 1407, the league between France and Scotland was renewed.<sup>56</sup>

The Scots were gradually pressing the English out of the positions which they had long occupied in the southern counties. In 1409 the Castle of Jedburgh was recovered, which had been in the enemy's hands since 1346, and to prevent the enemy from retaking it the Scots levelled it to the ground. About the same time the castle of Fast was taken. A truce with England was concluded, in which it was stated that from the River Spey to the Mount of St. Michael, in Cornwall, all hostilities between the two kingdoms should cease after the 17th of May, 1412, for a period of six years.<sup>57</sup>

In 1411 an event occurred which has been strangely mis-interpreted and exaggerated, namely, the Battle of Harlaw. This battle has been represented as a great and decisive contest between the Celtic race and the Lowland race. Now, as a matter of historic fact it was nothing of the kind; it was entirely a personal and family quarrel, in its origin, its cause, and its effect, and it arose in this way:—Robert II. married, as his second wife, a sister of William, Earl of Ross; Margaret, a daughter of Robert II., married John, Lord of the Isles, and their son, Donald, succeeded to the Lordship of the Isles, and he married Mary, a daughter of Walter Lesley, Earl of Ross; but Mary's brother, Alexander Lesley, who in due time became Earl of Ross, married Isabel, a daughter of the Duke of Albany, Regent of Scotland, and they had an only daughter, Euphemia, Countess of Ross, who, on the death of her father in 1406, became a nun, and she then proposed to assign the earldom of Ross

<sup>56</sup> *Extracta Chron. Scotiæ.*, p. 216; Winton; Buchanan.

<sup>57</sup> *Fædera*, Vol. X., p. 166, *et seq.*

to her maternal uncle, the Earl of Buchan, the second son of Albany, the regent. But Donald of the Isles, in right of his wife, had a legal claim to the earldom of Ross, which was preferable to that of the Earl of Buchan, Albany's son, and therefore Donald was legally and morally right in resisting the ambition and the enormous greed of the Duke of Albany, to aggrandise his own family in defiance of law and justice. Eventually, after the death of Albany, Donald's right to the earldom of Ross was recognised and confirmed by James I. Such, then, was the origin and the cause of the Battle of Harlaw; a mere family quarrel from beginning to end, with no more real national or racial significance than any other family quarrel and battle between two nobles.

Owing to the determination of Albany to ignore the claim of Donald of the Isles to the earldom in question, the island chief mustered his vassals and followers, and at the head of about six thousand men he crossed to the mainland, and marched through the earldom of Ross, in which he received much support, and greatly increased the strength of his army. Proceeding onward he advanced through Moray, crossed the Spey, and continued his advance through the higher grounds of Strathbogie and the Garioch, and pitched his camp on the Hill of Benachie. There he posted his army, and awaited the attack of his adversary, the Duke of Albany, but that grasping schemer had not the courage to face the man whom he had been the cause of bringing so far from home. Albany found a fit agent in Alexander Stewart, a natural son of "the Wolf of Badenoch," and who was then Earl of Mar, and the Regent entered into a bond with him for mutual support. This Earl of Mar had been a freebooter and a murderer of the deepest dye, so in the family cause of the Duke of Albany, Mar led the people of Angus and Mearns and Aberdeenshire against Donald of the Isles. The battle was fought on the 24th of July, 1411, on a moor edging up the Hill of Benachie. The action was long and furiously contested; many fell on both sides, and night put an end to the desperate struggle. There was no victory on either side, but Donald and his followers retreated. Many of the Lowland barons and a considerable number of their followers, and of the citizens of Aberdeen and Dundee, were slain on the field, and thus, locally, the Battle of Harlaw was a great event; but it had not the slightest national or racial significance, being entirely a family affair from beginning to end. As stated above, Albany failed in

his object, for Donald retained possession of the earldom of Ross, and his son succeeded him.

The Regent's eldest son, Murdoch, was a prisoner in England, and his father managed to obtain his liberation in 1416. Many of the people were longing for the return of James I., and efforts were made to negotiate for his freedom, but these were abruptly broken off. Albany died on the 3rd of September, 1420, at the advanced age of eighty-one. He had ruled the kingdom for a period of thirty years, though his regency only extended to sixteen years, but he had established his power so firmly that his son quietly succeeded him in the regency. Murdoch, however, had not the energy and talent of his father, but he imitated his father's style, and granted crown charters under his great seal; and, like his father, he had £1000 a year as Governor of the kingdom, and 200 marks as Keeper of Stirling Castle, and other sums from the burghs of Linlithgow, Cupar, and Aberdeen. It seems probable that Murdoch had also bound himself to uphold the acts of the Earl of Douglas, for in the year 1421 Douglas received more than two-thirds of the gross customs of Edinburgh.<sup>58</sup>

In August, 1423, negotiations were opened for the release of the King, and the following year a treaty was concluded. It was agreed that Scotland should pay to England £40,000, within six years, by half-yearly instalments, and for this sum the burghs of Edinburgh, Dundee, Perth, and Aberdeen, were to give security, and the Earls of Crawford, Moray, and a number of other nobles were to become hostages as additional security. It was stipulated that the King should contract a marriage with some English lady, and 10,000 marks was to be deducted from the ransom and given to such lady as a dowry. On these conditions James I. was to obtain his freedom. James selected Johanna Beaufort, a daughter of the Earl of Somerset, and their marriage was celebrated at Southwark in March, 1424, with great regal pomp. A truce for seven years was concluded. All the arrangements for the King's return having been completed, he moved northward, accompanied by many of his own subjects. He crossed the Border on the 9th of April, and was warmly welcomed by the people.

<sup>58</sup> *Exchequer Rolls of Scot.*, Vol. IV., p. 310, Pref., p. 79.

## CHAPTER VIII.

*Reign of James I.*

THE return of James I. was an important event in the history of Scotland. He was crowned at Scone on the 21st of May 1424. He then with his Queen visited Dundee, and thence returned to Perth. His first parliament was opened in Perth on the 26th of May 1424, in which many important acts were passed. An inquiry was ordered to be made concerning the Crown lands and rents since the death of Robert I. onward to the regency of Murdoch, Duke of Albany. The object of this was plain. It was further announced that if the King thought fit, he could summon all his vassals and freeholders to produce their charters or other evidence, that it might be seen what lands lawfully belonged to them. This act was executed with a determination which convinced the turbulent nobles that the hand of a master was upon them. James I. had resolved to humble the power of the nobles, and his plans were well conceived, and carried out with remarkable energy. Acts were passed for restoring order and a more efficient administration of justice.<sup>59</sup>

On the 13th of May 1424, Sir Walter Stewart, eldest son of the Duke of Albany, Malcolm Fleming, brother-in-law of Albany, and Thomas Boyd, one of the Kilmarnock family, were arrested and imprisoned; and about the end of this year, the Earl of Lennox, father-in-law of Albany, and Sir Robert Graham, were seized and imprisoned. But these acts of the King were only the prelude of the tragedy, for he was then meditating a bold and desperate move.

James summoned a parliament which met at Perth on the 12th of March 1425. For eight days it was engaged in passing laws against the diffusion of heresy, bonds among the nobles, the reform of hospitals, and the restoration of the lands of the Church, which had been wrested from her and illegally possessed, the imposition of new cus-

<sup>59</sup> *Acts Parl. Scot.*, Vol. II., p. 2-8.



toms, and an inquiry touching the execution of the acts passed in the last parliament. On the ninth day, the Duke of Albany and his son, Sir Alexander Stewart, the Earls of Douglas, March, and Angus ; William Hay of Errol, Sir Alexander Seton of Gordon, Sir Alexander Irvine of Drum, and others, altogether about thirty nobles and knights were arrested. At the same time the King seized the castles of Falkland and Doune, and imprisoned Albany's wife in the castle of Tantallion. These proceedings astonished the aristocracy, and were presented as a lesson to the whole body of the nobles, but the move was specially directed against the Duke of Albany and his family. So the other nobles were released after a very short imprisonment.

Parliament reassembled at Stirling in May, and prepared to settle the fate of Albany and his family. A court was held in the palace of Stirling, and on the 26th of May 1425, Walter Stewart, the eldest son of Albany, was brought to trial before the King and a jury of twenty-one nobles. Walter was found guilty, condemned, and immediately beheaded. The next day the King's own cousin Albany, and his son Alexander, and the aged Earl of Lennox, were tried, convicted, and sentenced to death, and they were all executed before the castle of Stirling. No record has been preserved of these trials, so the nature of the crimes of which they were accused can only be conjectured ; some of the chronicles report that they were accused of robbery. Albany and his sons were men of stalwart and commanding presence, and their fate excited much sympathy among the people.<sup>60</sup> Indeed this action of the King, which flooded the scaffold with the blood of his own kindred, cannot be justified. It was not even wise as a political measure. Although probably James intended to exhibit a striking example of severity, he may have wished the nobles to understand that a change had taken place in the government and the administration of justice, and that the lawlessness which had prevailed must henceforth cease.

After the executions, it followed as a consequence that the large estates of the families of Albany and the Earl of Lennox were forfeited to the Crown. Unfortunately James I. had failed to forecast the inherent strength of the class whose feelings and passions he had aroused, and whose interests he had infringed. In 1425 the King,

<sup>60</sup> *Scotichronicon*, Vol. II., pp. 484, 485 ; *Extracta Chron. Scotiæ*, p. 228. It may be mentioned that Alexander Earl of Ross and Lord of the Isles, son of Donald who led at Harlaw, was one of the jurymen in the above trials.

however, proclaimed his intention to grant a remission of any injury committed on persons or property in the Lowlands, on the condition that the offenders made reparation to the injured parties, in all cases where the extent of the loss could be ascertained by a jury of the good men, who were to modify and fix the amount of damages.<sup>61</sup>

James I., having thus far restored order in the Lowlands, next directed his attention to the Highlands and the Western Isles, and summoned a parliament to meet at Inverness. In 1427 he mustered an armed force and proceeded to Inverness, and summoned the Lord of the Isles and upwards of fifty of the most notable chiefs to attend his parliament. They obeyed and attended, and were instantly seized, put in fetters, and imprisoned. On this occasion, as when Albany and the other nobles were arrested and imprisoned, James I. exhibited a characteristic craftiness and duplicity. Amongst those arrested were, the Lord of the Isles and his mother; Angus Duff with his four sons, leader of four thousand men; Kenneth More with his son-in-law, leader of two thousand men; John Ross, Angus of Moray, William Leslie, and many others. A number of the chiefs were immediately executed, and the rest were conveyed to various prisons; and after a time some of them were executed and others liberated. The Lord of the Isles and his mother were among those who were liberated. But he seems to have been displeased with the whole proceedings of the parliament at Inverness, and after the departure of the King and his army he mustered his followers in Ross and the Isles. He then advanced on Inverness, wasted the Crown lands, and set the town on fire. The King returned to the north at the head of a strong force, and the Lord of the Isles retreated to Lochaber; and there the King attacked and defeated him, and pursued his retreating followers over the mountains and from glen to glen. At last he surrendered to the King, and in 1429 he was imprisoned in the castle of Tantallion, and his mother was arrested and imprisoned in Inchcolm.<sup>62</sup>

But a rising in the Highlands under Donald Balloch, a cousin of the Lord of the Isles, ensued, and he encountered the royal army under the command of the Earls of Mar and Caithness, at Inverlochy in 1431. After a severe engagement, the royal troops were com-

<sup>61</sup> *Acts Parl. Scot.*, Vol. II., p. 8.

<sup>62</sup> *Scotichronicon*, Vol. II., pp. 488, 489; *Exchequer Rolls*, Vol. IV., pp. 541, 621, 633.

pletely defeated, and the Earl of Mar, and many others were slain on the field. Shortly after this the Lord of the Isles was liberated, and the King appointed him to the office of Justiciary of Scotland north of the Forth.<sup>63</sup>

In July 1428, a treaty of marriage was concluded between the Dauphin of France and the princess Margaret, daughter of James I. The marriage was celebrated at Tours in 1436, when the princess had attained her twelfth year and the Dauphin his thirteenth. It appears that the King's ransom money promised to England was never paid, except a part of the first year's instalment; and in consequence of this, the Scotch hostages were detained in England. Many of them died in England, some ransomed themselves, a few escaped; and in June 1453, the Earl of Strathern, who had gone to England as a hostage, was liberated from Pontefract castle, when his son Alexander surrendered himself in his stead, the Earl of Douglas and Lord Hamilton becoming sureties for his return in case of the escape of his son. Many allusions to the ransom hostages occur in the *Rotuli Scotie* long after the death of James I.<sup>64</sup>

James I. was an able legislator, administrator, and organiser, and it may be said that the regular statute law of Scotland commenced in his reign. The chief aim of his policy was to make the nobles more dependent upon the Crown, to restrain them from oppressing the people, and to rule the kingdom through Parliament, acting with the executive power of the Crown. He attempted to introduce the principle of representation in the election of members of Parliament. In his short reign Parliament was assembled fifteen times; and besides transacting other important business, his Parliaments passed upwards of one hundred and sixty distinct statutes, which were written and proclaimed in the language of the people. These Acts were admirably brief, incisive, and clearly expressed, and dealt with many important matters, especially the reform of the administration of justice.

At the outset it was announced that all the subjects of the kingdom should be governed by the King's laws and statutes, not under any special laws or spiritual privileges of any foreign authorities. In 1426 a notable attempt was made to give precision to the common law of the kingdom, as it was then enacted by the King in Parliament

<sup>63</sup> *Coron. James I.*, p. 11; Dr. Skene's *Celtic Scot.*, Vol. III., p. 298.

<sup>64</sup> *Exchequer Rolls of Scot.*, Vol. IV., Pref. pp. 133-134.

that six wise and discreet men who knew the laws best should be selected from each of the three Estates, "and since fraud ought not to help any man, they should examine the books of the law of this realm, and amend the laws that needed amendment, and to carefully expunge all fraudulent and frivolous exceptions, so that no man might obtain an unjust judgment against another." In the same year James I. instituted the court known under the name of "the Session."

As it is a primary requisite that the laws should be made intelligible to the people, and more especially to those who have to administer the law, therefore the King, with the consent of Parliament, commanded that all the statutes should be recorded in the King's register, and copies of them given to all the sheriffs throughout the kingdom. Every sheriff was directed to proclaim the statutes in the chief towns of the shire and in other places, and also to give copies of them to the bishops, the barons, and burghs of barony. The sheriffs were ordered to cause the tenor of the Acts to be obeyed in town and country, and to declare to the people that it was their duty to obey the laws, so that no man might have any ground to allege ignorance as an excuse for his crime. To render the administration of justice free from outside influence it was enacted that parties coming to the courts with their causes should not appear with a multitude of their armed followers, but simply accompanied only by their counsel and the necessary witnesses for the trial of their causes. The King commanded that justice should be equally distributed in every quarter of the kingdom, "to the rich as to the poor, without fraud or favour"; and it was further enacted that "If there be any poor creature who, for want of means, cannot follow his case, then the King, for the love of God, shall ordain that the judge provide and get a wise advocate to follow such a one's case; and if such a case be gained, the wrongdoer shall pay the injured party and the advocate's expenses: and if any judge refuses to obey this law, then the party who has been defrauded shall have recourse to the King, who shall so punish such a judge that he shall be a striking example to all others."

It was enacted that the statutes should be interpreted according to their real tenor and the intention of the legislature. With a similar aim it was ordered that no one should be permitted to practice in the King's courts unless they were known to have sufficient knowledge and discretion for the proper performance of such



functions ; while no judge or officer of justice in the kingdom, nor any man who had indicted another for any action, should be allowed at the trial to sit as a juryman under a penalty of ten pounds. Many acts bearing on the internal order of the kingdom, and the arrestment and punishment of criminals were passed. Rebellion against the king was proclaimed to entail the loss of life and lands. Various attempts were made to attach more responsibility to all those in positions of authority throughout the nation.

Measures were passed relating to commerce, the coinage, and weights and measures. Careful regulations were framed for preventing and extinguishing fires in the towns, which were ordered to be strictly observed. Every burgh was enjoined to provide a number of ladders at the public cost—six, seven, eight, or more, according to the extent of the town—and to keep them always in a convenient place ready for use in case of fire ; they were also to keep in readiness three or four saws, and six or more iron clicks to pull down the timber and roofs at fires. These and many other minute regulations were to be enforced under penalties.<sup>65</sup>

James I. was a firm friend of the Church. His Parliaments passed several acts in favour of the privileges of the Church and the searching out of heretics, and it was stated that the secular power would support the Church in her mission of executing heretics. In the year 1433 the Church found a heretic, Paul Cwarar, a native of Bohemia. He was a skilful physician, but it was reported that he embraced every opportunity of sowing opinions contrary to the doctrines of the Church, so he was seized and accused of heresy, and, although he argued and defended his views with much force and clearness, that only rendered his conviction more certain. He was convicted and condemned, and as he declined to renounce his opinions, he was brought to the stake and burned at St. Andrews on the 23rd of July.<sup>66</sup> It seems that he had made some converts in Scotland.

But the King was aware of the state of the Church. On the 8th of June, 1425, he sent a mandate to the Bishop of St. Andrews commanding him to take immediate steps to recover the possessions of his See, which had been robbed by the greed and the nepotism of his predecessors. The same year he addressed a letter to the abbots and the priors of the Benedictine and Augustine monasteries of Scotland,

<sup>65</sup> *Acts Parl. Scot.*, Vol. II., p. 2-24.

<sup>66</sup> *Ibid.*, pp. 3, 7, 9 ; *Scotichronicon*, p. 495.

which exhorted them to shake off their torpor and sloth and set themselves to restore their fallen discipline and rekindle their decaying fervour, that they might save their houses from the ruin which menaced them.<sup>67</sup>

James I. encouraged industry and commerce ; he had an establishment of his own at Leith, which was used as a shipbuilding-yard, a workshop, and a storehouse. He had several ships, and entered into trading on his own account. The wool and hides of the crown lands, instead of being sold to the Scotch merchants, were directly exported by the King to Flanders duty free. The remissions of custom show that in one year the King had exported wool and hides representing a value of about £900. The King's ships were frequently mentioned in the records ; and John Hannay, a burgess of Aberdeen, Andrew Baxter, and Henry of Crawford, were named as masters of King's ships. James I. commenced to rebuild the palace of Linlithgow, and in many other ways left traces of his energy.<sup>68</sup>

But the great aim of James I. was to reduce the overgrown power of the nobles. To accomplish this he endeavoured to raise the influence of the small barons and freeholders as a counterpoise to the higher nobles. Although it is impossible not to admire the legislative and administrative abilities of James I., still some of his proceedings against the nobles were not wise politically, or morally defensible. After the execution of the Duke of Albany and his family, the Earldoms of Fife and Monteith became the property of the Crown. In the case of the Earl of Lennox, though no sentence of forfeiture was pronounced against him, yet the King took possession of his estates and Earldom, and retained them in his own hands during his reign. Yet James went further, and in 1431, in a parliament held at Perth, it was decided that the late regent Albany had no power to alienate any lands which, by the death of a bastard, might have fallen to the Crown, and on this ground, a grant of land to Adam Ker was declared to be invalid. In this way the King prepared for a great stroke. The Earl of March, who usually commanded the castle of Dunbar, and held large estates in the south of the kingdom, had often been a cause of annoyance to the Crown. As we have seen, the Earl of March fled to England in the reign of Robert III., renounced his allegiance, and fought in the English ranks against the

<sup>67</sup> *Acts Parl. Scot.*, Vol. II., pp. 24, 25.

<sup>68</sup> *Exchequer Rolls of Scot.*, Vol. IV.

Scots in several engagements ; but he returned to Scotland, and in 1409 his estates were restored to him by the regent Albany. He died in 1420, and his son George succeeded to the lands of the Earldom ; and it was this man that the King resolved to humble. His loyalty was not questioned, and he had rendered service to James I. in many ways ; but in 1434 his castle of Dunbar was seized, and he was arrested and imprisoned in the castle of Edinburgh, on the ground that Albany had exceeded the powers of a regent in restoring his father. A parliament was assembled at Perth in January 1335, and proceeded to discuss the cause of the Earldom of March. It was debated on both sides at length :—First, touching the treason and forfeiture of the late Earl, and the consequent reversion of his estates to the Crown ; and second, the position and claim of his son then in possession. After a long debate, it was affirmed that Albany had exceeded his powers, and, therefore, the verdict of the judges was against the Earl, and all the lands of the Earldom were annexed to the Crown. The dispossessed Earl and his family retired to England.<sup>69</sup>

In 1435 the Earl of Mar, Alexander Stewart, the hero of Harlaw, died, and on the ground of his illegitimacy, the Earldom reverted to the Crown. The King ignored the claim of Robert, Lord Erskine, the rightful heir to the Earldom of Mar. The Scotch nobles were greatly alarmed and enraged at the proceedings of the King. One of James' bitterest enemies was Sir Robert Graham, uncle of the deprived Earl of Strathern, mentioned in a preceding page as one of the ransom hostages detained in England. Graham in the parliament of 1435 had delivered a vehement speech, in which he touched on the encroachments of the King upon the nobles, and in his presence denounced him as a cruel tyrant. He was immediately arrested and banished. Graham retired, brooding on revenge, and matured the plot against the King. He addressed a letter to the King renouncing his allegiance, and stating that James had ruined his family and rendered himself houseless and landless ; and, therefore, he warned the King that he would pursue him to the utmost as his enemy and slay him. The King issued a proclamation for his apprehension, and offered a sum of gold for his head.<sup>69</sup>

Yet it appears from circumstantial and direct evidence that Graham was not the originator of the plot against the King, although he was

<sup>69</sup> *Acts Parl. Scot.*, Vol. II., pp. 22, 23.

<sup>70</sup> *Contemporary Account of the Death of James I.*

one of the chief actors in the tragedy. The real originator of the dismal plot was Walter Stewart, Earl of Athole, son of Robert II., and uncle of the King. In the preceding chapter, it was stated that Robert II. had been twice married, and at the date of his settlement of the succession to the crown in the male line (which was quoted at length) there were three sons of the first marriage, and two of the second, named in the instrument of the succession, these were all dead, except Walter, Earl of Athole, who was the second son of Robert's second wife. Then it had been known that several of Robert's children by his first wife were born before he married their mother, and in spite of the solemn settlement of the succession, a doubt hung over the legitimacy of the first family of Robert II., and the children of the second marriage cherished the idea that they had been unjustly excluded from the throne; and the Earl of Athole was the representative of this branch in the male line. It was suspected that he had been concerned in the proceedings which terminated in the death of the young Duke of Rothesay. He was one of James' most trusted advisers, and he was one of the jury who sanctioned the execution of the Duke of Albany and his sons; then only James I. and his boy stood between him and the throne. It seems that the King had no suspicion of Athole, and conferred on him honours and wealth. He was appointed Justiciary of Scotland, and the *Exchequer Rolls* from year to year contain remissions of custom and gifts to him, and his grandson and heir was made private Chamberlain to the King. Meanwhile Athole had been devising his plot against the King, with his grandson as his accomplice, and Graham and others as his tools.<sup>71</sup>

The King was gifted with a bold and fearless spirit, and he seems to have forgot or disregarded the threats of Graham. James had resolved to hold his Christmas at Perth, in the Black Friars Monastery. Thus he unwittingly placed himself in the midst of his enemies; although he had been warned of the impending danger to his life before he had crossed the Forth, still he disregarded it and proceeded to Perth. The King was cheerful and bent on enjoying himself; and on the arrival of the royal party at Perth, day after day was spent in the pleasures and amusements which were then customary at that happy season. It seems that the King had not the slightest suspicion of the fate that was hanging over him. The Earl of Athole, the arch-conspirator, and his grandson the Chamberlain, were amongst

<sup>71</sup> *Exchequer Rolls of Scot.*, Vol. IV.



the royal guests, and contributing their share of mirth to the company, while everything was going on in the most harmonious style.

The outside and subordinate agents of the conspiracy, headed by Sir Robert Graham, had completed the arrangements, and they resolved to execute the horrid crime on the night of the 20th of February 1437. They proceeded in their dismal work with great calmness and surprising cunning; the hour of the attack was fixed, and the conspirators inside the monastery executed their part in the tragedy. Stewart the Chamberlain removed the bolts of the doors which made communication in the interior of the building easy. On this night the amusements of the court were continued till past midnight, and the Earl of Athole remained till a late hour, and when the King called for a parting cup, the company retired, and Stewart, the Chamberlain, was the last to leave the apartment. The King had undressed, and was standing in his nightgown before the fire talking with the Queen and the ladies of the bedchamber, when suddenly he was alarmed by the clang of arms and the glare of torchlights in the outer court. The Queen and the ladies rushed to secure the door, but the bolts were gone. The King instantly saw his peril, and called to the ladies to keep the door as long as they could; he tried to force the windows, but they were barred with iron stanchions; he then seized the tongs, wrenched up a flag, and descended to a vault below. The Queen and the women replaced the flag, and tried to barricade the door; but the cruel ruffians soon forced it, and broke Catherine Douglas' arm, which she had heroically thrust into the staple to replace the removed bolt. The conspirators on not finding the King in the room, rushed in fury through the buildings and feared that their victim had escaped. But Thomas Chambers suspected what had happened, and returned to the bedchamber, and seeing that the floor had been newly broken, instantly tore it up, and their victim appeared. Although the King was unarmed and half naked, he made a desperate resistance. Sir John Hall leaped down with a dagger in his hand, the King seized him by the throat and threw him under his feet. A brother of Hall's followed and met with the same fate. Sir Robert Graham then entered the room, and sprang down with his drawn sword, and the King implored for mercy; but Graham called him a cruel tyrant, who had never shown mercy to his own kindred, and in an instant thrust his sword through the King's body. Thus perished, by the hands of atrocious villains, the ablest King of all the Stuart line.

By this time the citizens of Perth were hastening to the monastery with torches and weapons, and on their approach the conspirators fled and escaped. The pursuit of the murderers and conspirators was prosecuted with the utmost energy, and within a month after the murder the principal culprits and actors were captured and executed. The record of their trials has not been preserved, but the chronicles present details of the horrible modes in which they were tortured and put to death. The Earl of Athole was seized by the Earl of Angus, tried, condemned, tortured, and executed. Robert Stewart, the Chamberlain, Graham, Chambers, and others, were captured and executed, and the public feeling was at last appeased.<sup>72</sup>

James I. was cut off in the forty-fourth year of his age and the thirteenth of his reign. He was popular among the people, who appreciated the advantages and the effects of his Government. He struggled hard to redress the oppression and to reform the intolerable evils which Norman feudalism had generated in Scotland. He clearly understood and thoroughly realised in his mind that which all his predecessors had failed to see, namely, that Norman feudalism contained in itself the essence of anarchy and injustice. He had a true conception of the form of government which the people of Scotland needed; though, unhappily, his ideas were too far in advance of his time. No historian who has studied his legislation can fail to admire his grasp of the fundamental principles of effective government, and the efficient administration of justice. Still the historian may not justify all his proceedings, and it seems to me that James I. sometimes pushed his depression of the nobles beyond the limits of justice and political wisdom.

<sup>72</sup> Contemporary account.

## CHAPTER IX.

*Narrative to the Battle of Flodden.*

JAMES I. was succeeded by his son, a boy of seven years of age, who was crowned at Edinburgh in the monastery of Holyrood on the 25th of March, 1437, under the title of James II. The custody and care of the young prince was entrusted to his mother, while the Earl of Douglas was appointed Lieutenant of the kingdom. As the Government of the late King had been extremely hostile to the nobles, they naturally regarded his death with feelings of satisfaction. The tendency of his policy had been to render the institutions and the laws of the kingdom effective, but his presence and energy being gone, the Government soon relapsed. During the minority the factions of the nobles struggled to kidnap the King, and in this contest for power Sir William Crichton, the Chancellor, and Governor of Edinburgh Castle, and Sir Alexander Livingston of Callender, became prominent actors. The Queen, with her son, had taken refuge in the Castle of Edinburgh, but Sir William Crichton isolated the boy from his mother and made him almost a prisoner. Then the Queen outwitted him and conveyed her son to Stirling Castle, which Sir Alexander Livingston commanded. This move intensified the rivalry between Crichton and Livingston; while the contests of the rival factions increased the disorder of society. Fortunately England was not then in a position to harass Scotland, and a truce was concluded to continue for nine years.<sup>73</sup>

In 1439 the Queen married Sir James Stewart, son of Sir James Stewart of Innermeath and Lorne, called the Black Knight of Lorne, with the hope of strengthening her position; but Livingston imprisoned them both, and kept the young prince a captive in Stirling Castle. The Earl of Douglas, the Lieutenant of the kingdom, died in 1439, and his son, a youth of seventeen years, succeeded to the earldom. He soon assumed an arrogant attitude, kept a host of

<sup>73</sup> *Acts Parl. Scot.*, Vol. II., pp. 31, 32, 55.

retainers, and scorned to appear at court or parliament. The factions of Livingston and Crichton saw that the Earl must be crushed ; as they were unable to attack him in the field, they resolved to allure him into a trap. They invited the Earl to visit the young King in Edinburgh Castle. The Earl and his brother proceeded there, and were received with much show of respect ; but in a few days after their arrival, they were both beheaded ; and the Earl's chief adviser, Malcolm Fleming, was also executed. Although Douglas was slain, his earldom was not forfeited to the Crown ; for the Government was unable to seize the possessions of the head of the Douglas family ; the adherents of the chief were numerous and strongly attached to him. This blow, however, stunned the family. A portion of the estates of the earldom reverted to a sister of the murdered Earl, while his grand-uncle, James Douglas, succeeded to the title and the greater part of the lands ; but the French possessions of the house, which were limited to male heirs in the direct line of descent, reverted to the Crown of France. This Earl was known in history as James the Fat, and he died in 1443. He was succeeded by his son, William, a man of energy and ambition. His power soon became enormous and inconsistent with order, while the kingdom presented a scene of turmoil.<sup>74</sup>

Crichton and Livingston were unable to offer effective resistance to Douglas. To make himself complete master of the kingdom he sought admittance to the King's presence at Stirling Castle, and Livingston, who had the custody of the Prince, granted the request. Livingston and Douglas then became friends, and Crichton saw with dismay that he was undone. Douglas pretended to be greatly pleased with the favour which the young King had graciously shown him, and then he assumed the title and power of Lieutenant-General of the kingdom, called a parliament, and summoned Crichton and his adherents to appear and answer to a charge of high treason. Crichton, instead of obeying the summons, mustered his followers, plundered the lands of Douglas, then retired into the Castle of Edinburgh, and defied his enemies ; but they afterwards came to terms with him.<sup>75</sup>

The Earl of Douglas divorced his wife, then married his cousin,

<sup>74</sup> Pitscottie ; Buchanan's *Hist. Scot.*, Bk. XI., Chs. xvi., xvii. ; *Acts Parl. Scot.*, Vol. II., p. 33.

<sup>75</sup> *Auchinleck Chron.*, p. 36 ; Lesley's *Hist. Scot.*, p. 17 ; Pitscottie.



the "Fair Maid of Galloway," and thus reunited the domains of his house. His power rapidly increased, and a struggle with the Crown became inevitable. He strengthened himself by coalitions with other nobles, and entered into a bond of alliance and mutual defence with the Earls of Crawford and Ross. When Douglas desired the assistance of the knights and gentry, and persons in his own neighbourhood, he summoned them to attend the meetings at which he presided; and if any of them failed to appear he soon brought them to obedience, and taught them a lesson which would be remembered.

In 1449 James II. married a daughter of the Duke of Gueldres, and began to show some energy and ability; but he mainly relied on the counsel of Crichton the Chancellor, and Bishop Kennedy. The King had not the command of a force which could venture to attack Douglas openly in the field, and so the faction of the Livingstons was first crushed. They had enriched themselves during the King's minority, but they and their active associates were now seized and imprisoned. The head of the house, an old man, was granted his life, but his property was forfeited to the Crown, and his son, and several others were executed.<sup>76</sup>

The parliament which crushed the Livingstons passed a number of Acts and re-enacted others of the reign of James I., which were mostly directed to the re-establishment of order. It was enacted that if any man "commit treason against the King's person or majesty, or wage war against him, or lay violent hands upon him, whether young or old, and all who reset, sustain, or advise any one convicted of treason, should be punished as rebels. Those who rebel against the King should be punished, according to the extent of their rebellion, by the sanction of the Three Estates. Those who openly revolted and made war upon the people, the King ought immediately to proceed against them with all the force of the kingdom, and inflict condign punishment upon them." When men of such power committed robbery and theft that the Justiciary was unsafe to hold his court, or put the law in force against these masterful evil-doers, then in such cases, he should inform the King, who, with the advice of his council, will devise a remedy. That these great criminals may not have the chance of escaping from justice, the Justice Clerk was enjoined not to reveal his action to any one whatever, or in any way to alter the form of the process which was given to him, under the

<sup>76</sup> Pitscottie; Balfour's *Annals of Scot.*, Vol. I., p. 173.

penalty of forfeiting his office and his goods. It was enacted that the justiciaries, the justices, chamberlains, and other officers, in their progresses through the kingdom, should travel with a small train, and not oppress the people by their retinues.<sup>77</sup>

Douglas continued to hold a haughty attitude towards the King, and kept up communications with the leaders of parties in England and political personages abroad. In 1450 he proceeded on a pilgrimage to Rome, attended by a train of his retainers, passed through France, where he was joined by his brother, and thence to Rome. During his absence some of his vassals had caused disturbance, and were punished by the command of the King. He returned to Scotland in 1451.

The King and his advisers were unwilling to attack Douglas, as they were doubtful of the issue of the struggle that would ensue. As the vassals of Douglas's allies, the Earls of Ross and Crawford, and his own vassals, and those of his kindred were numerous, and seeing that the Earl of Ross was also Lord of the Isles, Douglas and his allies could have mustered an army probably more numerous than any force which the King could command. In these circumstances it was resolved to try the effect of a personal interview; and in February 1452, Douglas was invited to visit the King at Stirling Castle, and he complied. Douglas proceeded to Stirling with a small retinue, and was received by the King with respect. He dined and supped with the royal party; and then the King took him aside to an inner room, where they entered into a private conversation. One matter after another was touched on, till the question of Douglas's bonds with the Earls of Crawford and Ross was broached. Their talk waxed hot, the King insisted that Douglas must break these secret bonds, but he declined to desert his allies. At last the King exclaimed, "This shall," and instantly drew his dagger and twice stabbed his guest. The nobles at hand rushed upon the bleeding man and killed him outright. There can be no justification or palliation of this murder; perhaps it was unpremeditated, as there was no preparation made to meet its consequences.

The rash act of the King hastened the crisis, and civil war raged from the borders to Inverness. The murdered Earl had four brothers then in Stirling, and they immediately met with other friends of the family and recognised James, the eldest brother, as his successor to

<sup>77</sup> *Acts Parl. Scot.*, Vol. II., pp. 33-37.

the earldom. They agreed to meet at Stirling on the 25th of March. Having mustered their followers they met accordingly, proclaimed James II. a perjured man, and then pillaged and burned the town of Stirling. The struggle was desperate, and for some time the King was hard and sorely pressed on every side. He appointed the Earl of Huntly Lieutenant-General of the kingdom, and entrusted to him the task of suppressing the rebellion of the Earls of Crawford and Ross. Huntly mustered a strong army from the valley of the Deveron, Strathbogie, and the north, and marched southward towards Stirling. But the Earl of Crawford was prepared to oppose his advance, and had taken up a position near Brechin. On the 18th of May, 1452, Huntly, at the head of the loyal army, attacked Crawford, and after a fierce and severe battle, completely defeated him, when he fled to his castle of Finhaven. Two of Huntly's brothers, Gordon of Methlic, ancestor of the Earl of Aberdeen, and many of his men were slain. One of Crawford's brothers, and many of his chief supporters fell upon the field.

Huntly returned to chastise the Earl of Moray, who had invaded and wasted Strathbogie. He crossed the Spey, advanced into Moray, and destroyed that part of the city of Elgin which belonged to the adherents of the Earl of Moray. Thus the rebellion was subdued in the north, but in the south and other parts of the country the war raged with intense fury. The Earl of Crawford, infuriated by his defeat at Brechin, wasted the lands, and destroyed the houses of the King's adherents in Angus; while the new Earl of Douglas and his brothers, assisted by their numerous vassals, defied and scorned the King's authority, and wasted and burned the country. At last the Earl of Angus, a member of the Douglas tribe, joined the King's standard. His kinsmen looked on this as an unpardonable crime, and attacked his possessions with extreme ferocity. Sir John Douglas of Dalkeith also adhered to the King, and his kinsmen besieged his castle of Dalkeith, and having failed to take it, they burned the town and the villages in the neighbourhood.<sup>78</sup>

After many fruitless efforts, the King mustered an army which numbered nearly thirty thousand men, on a moor near Edinburgh. At the head of this force he advanced against the Earl of Douglas,

<sup>78</sup> Pitcottie; *Auchinleck Chron.*, pp. 46-48; Buchanan's *Hist. Scot.*, B. XI., Chs. 37, 38. Though John, Earl of Ross and Lord of the Isles was in league with Douglas and Crawford, it appears that he did not engage much in the rebellion. *Historical Records of the Family of Lesley*, Vol. I., p. 88.

and proceeded through Peeblesshire, Selkirk Forest, Dumfries, and Galloway. When the royal army appeared before Douglas Castle the Earl parleyed, and peace was concluded on the 24th of August, 1452. Douglas agreed to renounce his claim to the earldom of Wigton and the lands of Stewarton, and to abandon all quarrels arising out of recent events, and all illegal bonds. Shortly after the Earl of Crawford submitted to the King, and was pardoned.

But it soon became apparent that the struggle was not finally terminated. Douglas obtained a papal dispensation for his marriage with the Fair Maid of Galloway, the widow of his late brother, and thus once more united the extensive territories of the family. He entered into communication with the Yorkish party in England, and conspired to overthrow the Government and the Stuart dynasty. An appeal to arms again became necessary. The King raised an army, and the castle of Abercorn was besieged; Douglas advanced with a strong force to relieve his castle, and a battle seemed to be imminent. At this critical moment many of Douglas's adherents, including Lord Hamilton, deserted his standard, and consequently he was unable to offer battle to the besieging army, and retired, while his castle of Abercorn was captured. The King, then, at the head of a strong army, marched into the lands of his enemy, attacked and reduced Douglas Castle, and subdued his territories. Douglas made his last stand at Arkinholm, in the summer of 1455, but he was defeated by the royal troops under the Earl of Angus; the Earl of Moray, one of Douglas's brothers, was slain, and the Earl of Ormond, his other brother, was taken prisoner. The Earl of Douglas himself fled to England.<sup>79</sup>

Parliament assembled at Edinburgh on the 9th of June, 1455, and proceeded to deal with the estates and offices of the Douglas family. The Earl of Douglas, his mother, Countess of Douglas, the Earl of Moray, his slain brother, and John Douglas of Balveny, were declared traitors, and their lands and titles forfeited to the Crown, and other three of the adherents of the Earl of Douglas were forfeited. Acts were then passed which aimed at securing these forfeited lands and castles to the Crown. It was enacted that certain lordships and castles should for ever remain in possession of the Crown, and be given to no person whatever. "If it should happen that James II. or any of his successors alienated any of the castles and lordships belonging

<sup>79</sup> *Acts Parl. Scot.*, Vol. II., pp. 75, 77; *Auchinleck Chron.*, p. 53.



to the Crown, it shall not be valid, as it shall always be lawful for the reigning King to retake these castles and lands whenever he thinks fit, without any process of law whatever." This enactment was not well observed, but several of the succeeding kings occasionally put it into practical operation. Acts were passed which aimed at the restriction of hereditary offices, and the jurisdiction and powers associated with regalities. All the regalities which had fallen to the Crown were to be annexed to it, and no new ones were to be granted without the consent of Parliament. The hereditary Wardenship of the Marches was to be abolished. In 1457 a Parliament, which assembled at Edinburgh, passed many Acts and commanded all the sheriffs of the kingdom, and the commissioners of the burghs to obtain copies of all the statutes of this Parliament from the Register Clerk, and then to proclaim them through all the counties and towns of the realm.<sup>80</sup>

The raids on the Borders were continued, and had become habitual. The Scots, however, had still the object in view of driving the English out of the castle of Roxburgh, and retaking Berwick. The English had held this ancient stronghold for upwards of a century. In the summer of 1460 the King mustered a force, and having provided cannon and war-engines, marched southward to the attack. This castle, however, was built on a strong position, and the garrison made a determined and vigorous defence. The King was actively urging on the siege, and he was extremely eager to observe the effect of the cannon which were brought to bear upon the castle. One of the great guns, which were purchased in Flanders, was placed in position, and when it was discharged some of the wedges, which were used to tighten the iron hoops, were driven out, and one of them struck and killed the King. Thus fell James II., on 3rd of August, 1460, in the thirtieth year of his age and the twenty-fourth of his reign. But the siege was continued; and the Queen, with her son, appeared upon the scene. The castle was taken, and having been more serviceable to the enemy than to Scotland it was levelled with the ground.<sup>81</sup>

James II. was succeeded by his son, a boy of nine years of age, who was crowned at Kelso on the 10th of August, 1460, under the title of James III. The care of the young prince mainly devolved

<sup>80</sup> *Acts Parl. Scot.*, Vol. II., pp. 41-43, 52, 75.

<sup>81</sup> *Extracta Chron. Scotiæ.*, p. 243; *Mair's Hist. Scot.*, p. 325.

upon his mother, Mary of Gueldres. The Earl of Angus was appointed Lieutenant-General of the kingdom, and James Kennedy, Bishop of St. Andrews, was for several years the leading man in the Government. Kennedy was the friend and trusted adviser of the late King, and he continued to serve the nation. The wars of York and Lancaster were then distracting England; and Henry VI., after his crushing defeat at Towton on the 29th of March, 1461, fled into Scotland, and was hospitably received. In return for the kindness shown to him by the Government, he surrendered Berwick to the Scots, which act for a time threatened to involve the nation in a war with England. But this was avoided by a truce which left Berwick in the possession of the Scots, on the condition that they should immediately cease to assist Henry VI. On the 16th of November, 1463, Mary of Gueldres, the mother of the Queen, died, and Bishop Kennedy encouraged a policy of peace. The Earl of Angus had died also, leaving a son, who was too young to succeed him in his public position. Unhappily, Bishop Kennedy died in 1465, and his death was lamented by all the peaceful people of the kingdom as a public calamity.<sup>82</sup> He had rendered great service to the State and his country, and was a wise, moderate, and upright man.

After the death of Kennedy, the plotting and the characteristic practice of the restless nobles recommenced. The King, then in his fourteenth year, was made the tool of a faction of the nobles, whose sole object was their own aggrandisement. Lord Boyd and his sons entered into a bond with a number of other nobles in a conspiracy to seize the young King, and rule the kingdom in their own interest. This bond contained the names of Robert, Lord Boyd, Sir Alexander Boyd, the Earl of Crawford, Lord Hamilton, Lord Livingston, Lord Maxwell, Lord Montgomery, Lord Fleming, Lord Kennedy, the Bishop of St. Andrews, and others, and was signed on the 10th day of February, 1466. On the 9th of July, 1466, while Lord Livingston, the Chamberlain, was holding his court at Linlithgow with the King, Lord Boyd and a number of his associates entered the court and requested the King to accompany them to Edinburgh, with which request he at once complied. The party held a Parliament, and passed an Act in which the King was made to say that he willingly accompanied Lord Boyd and the knights from Linlithgow

<sup>82</sup> Mair's *Hist. Scot.*, p. 326; Buchanan's *Hist. Scot.*, B. XII., Chs. 20-23; *Accounts of the Lord High Treasurer of Scot.*, Vol. I., Pref. pp. 37-40.

to Edinburgh, and that anything connected with this matter which could possibly be construed into an offence, His Majesty King James III. freely pardoned. Lord Boyd was appointed guardian of the King's person, governor of the royal castles, and High Justiciary of the kingdom. Thus he at once became supreme, and his family and relations speedily acquired large tracts of territory, titles, and honours. In 1467 his eldest son, Sir Thomas Boyd, was created Earl of Arran, and was married to the King's sister.<sup>83</sup>

The relations between the Crowns of Denmark and Scotland demanded the attention of the government. It was stated in a preceding chapter that the Western Islands were ceded to Scotland in 1266, and the payment of an annual rent of 100 marks was one of the terms of the treaty. This had not been regularly paid, and the arrears amounted to a considerable sum. A marriage was proposed between James III. and the Princess Margaret of Denmark; and Boyd, the Earl of Arran, the bishops of Glasgow and Orkney, and other commissioners, proceeded to Denmark to negotiate with King Christian I. The Scotch commissioners concluded a treaty with the Danish King, in which he agreed to abandon his claim for the arrears of rent on the Western Islands, to endow his daughter with 60,000 florins, of which he proposed to pay 10,000 before she departed to Scotland, and to secure the remaining 50,000 on the Orkney Islands. But, on further reflection, he proposed to give the bride 2000 florins for her immediate use, and secure the balance on the Shetland Islands. The treaty thus adjusted was accepted; and, as the money was never paid, the Orkney and Shetland Islands ultimately became incorporated with Scotland.

In July 1469, the Princess Margaret of Denmark landed at Leith, and was heartily welcomed by a great assemblage of the people. Shortly after, the royal marriage was celebrated amid rejoicing throughout the nation.

During the Earl of Arran's absence from the country, his enemies had undermined his power and influence. When he returned with the King's bride, he found himself utterly deserted; and he immediately fled with his wife to Denmark. But he was soon deprived of his royal wife by a divorce. She afterwards married Lord Hamilton, and by this alliance his descendants became in the succeeding century the nearest heirs to the Crown of Scotland.

<sup>83</sup> *Acts Parl. Scot.*, Vol. II., p. 185; Crawford's *Officers of State*, p. 473; *Douglas Peerage*, Vol. II., p. 32.

As the Boyds had risen rapidly to power and wealth, so their fall was equally swift and complete. Parliament assembled at Edinburgh on the 22nd of November, 1469, and the Boyds were summoned to appear and answer to a charge of high treason. The charge of treason was the seizure of the King's person at Linlithgow. Old Robert Boyd, the Justiciary and the head of the family, fled to England, where he shortly afterwards died; but his brother, Sir Alexander, was tried, condemned, and executed on the Castle Hill of Edinburgh. Thomas, the Earl of Arran, wandered as an exile in Germany, France, and England, and died at Antwerp about the year 1473. The extent of the lands which they had unjustly seized in the short day of their power, is well shown by the local names in the act of their forfeiture. The lordship and the castle of Kilmarnock were the hereditary possessions of the family; but the list in the Act contained the earldom of Carrick, the lordship of Bute, the castle of Rothesay, the lordship of Arran, the lordship of Cowal, the lordship of Stewarton, the barony of Renfrew, the land and castle of Dundonald, and several others.<sup>84</sup> The case of the Boyds is not an isolated phenomenon in the history of Scotland, as a similar policy was pursued by the nobles whenever they had an opportunity; and this was one of the chief sources of their endless feuds, and the social disorder of the kingdom.

The legislation of the parliament of 1469, touching the social order of the kingdom, shows that the administration of justice was in a deplorable state. It was stated that the sheriffs and other judges had failed to perform their executive duties, or to protect the poor people from oppression. "Therefore, it was enacted that in every quarter of the kingdom, any person who had a case, should first make his complaint to the local sheriff, steward, justice, or the magistrates in burghs, and ask redress and justice: and if he obtains justice duly ministered and executed, then he must rest content. But when the judge declines to act, and will not administer justice, then the complainant should proceed to the King and his council, take letters and summon the offender, and also the judge; and if the judge be found guilty, he will be punished and dismissed from his office for a long or short period at the discretion of the King and his council; and he shall have to pay the expenses of the complainant, and the King shall cause justice to be administered to the complainant."

<sup>84</sup> *Acts Parl. Scot.*, Vol. II., pp. 90, 186; *Officers of State*, p. 316.



Murder and crimes of violence had been extremely numerous during the King's minority, while it was stated that many persons committed crimes, and trusted to secure immunity by taking refuge in the sanctuaries and remaining there, safe from pursuit. To remedy this state of matters, it was enacted that officers of justice should have power to seize such criminals, that they might be tried before a jury, and punished according to their guilt.

The King had reached his twentieth year ; but his education had been sadly neglected, and he showed little capacity in the government of the kingdom. In 1470 he made a progress through the northern part of the country with his Queen ; and on the 17th of March, 1473, an heir to the throne was born. James III. was peacefully inclined, but lacked the energy of character necessary to control the nobles. A truce with England was concluded in October 1474, to continue for seventeen years ; but Edward IV. was not really friendly to Scotland. He harboured the Earl of Douglas, and entered into negotiations with John, Earl of Ross and Lord of the Isles, with whom he also concluded a treaty.

When the terms of this treaty became known to the Government, the Earl of Ross was summoned to appear before a parliament in Edinburgh to answer several charges of treason ; but he failed to appear, and a sentence of forfeiture was passed against him in 1475. Preparations were then made to invade his territories and reduce him to subjection ; but he tendered his submission and surrendered himself to the King. The earldom of Ross was annexed to the Crown ; but the rest of his lands, excepting Cantyre and Knapdale, were restored to him by royal charter ; he was also created a peer of parliament under the title of Lord of the Isles.<sup>85</sup>

James III. was not a vigorous ruler, while he seems to have incurred the enmity of the nobles. He entertained a man called Doctor Andres, an astrologer, gave him sums of money, and in 1474 a French gown for his services. It was said that this astrologer told the King that his life was in imminent danger from his own kindred. The King employed and associated with persons of humble position ; one Robert Cochrane, a mason, became a special favourite ; Robert Rogers, a musician ; and James Homil, a tailor, were the King's favourites. Homil received an annual pension of £20. The King's brothers, the Duke of Albany, and the Earl of Mar, were robust and active men,

<sup>85</sup> *Acts Parl. Scot.*, Vol. II., p. 108, *et seq.*

and more in harmony with the characteristics of the nobles than the King. From whatever cause, the King imagined that his brothers were his enemies, and the Earl of Mar was imprisoned in the castle of Craigmillar, where he died; and it was rumoured that the King had caused him to be murdered. Albany was imprisoned in the castle of Edinburgh; but in April 1479, he escaped and fled to France. Returning to England, in 1482 he entered into a treaty with Edward IV. By this treaty he agreed to recognise the feudal superiority of the King of England, who was then to give the Crown of Scotland to him under the title of Alexander IV. Albany promised to render homage to his feudal lord whenever he was put in possession of the kingdom, also to support England, to abandon the old alliance with France, to surrender to the English the town and castle of Berwick, the castle of Lochmaben, and the districts of Liddesdale, Annandale, and Eskdale.<sup>86</sup> To enter into a compact of this nature with the enemy of the kingdom was a crime which the nation could not permit; although Albany simply presented another illustration of a characteristic weakness of the Stuart dynasty, namely, enmity amongst the members of the royal family.

The old Earl of Douglas was still alive, and being a retainer of Edward IV., he and several other Scotch nobles joined Albany's conspiracy. England thus assumed a menacing attitude towards Scotland. Parliament met in March, 1482, to deliberate on the state of affairs which had arisen. In the record of the proceedings Edward IV. was termed a usurper and a robber, "who had broken faith with Scotland, and invaded it, robbed, burned, and destroyed the property of the King's subjects. And it was well known that this usurper, from his enormous avarice and false love of conquest, neither fearing God nor the effusion of Christian blood, nor remembering that he was obliged and sworn to keep the truce, but casting his fidelity and honour to the winds, he has determinedly resolved to continue this war, which he has caused and begun, and with all his power to invade, and so far as he can, conquer this kingdom. Those present in Parliament therefore promised to support the King to the utmost of their power, and to defend him and the kingdom as their forefathers had always done." It was resolved to muster the whole force of the

<sup>86</sup> *Accounts of the Lord High Treasurer of Scot.*, Vol. I., pp. 7, 13, 15, 18, 23-6, 55; *Pitscottie; Acts Parl. Scot.*, Vol. II., pp. 125-132; *Fœdera*, Vol. XII., p. 156.

country to resist the usurper Edward, "and if he shall come in person, then he shall be resisted by our King in person, and with the body of the people, who will live or die in his defence."<sup>87</sup>

In July, 1482, a strong army assembled on the Boroughmoor, near Edinburgh; and Cochrane, who had assumed the title of Earl of Mar, was appointed to command the artillery. The army, with the King in person, marched toward the Border, but when it reached Lauder a tragic action happened. The nobles, headed by the Earl of Angus, met in a church, and after some discussion they resolved to seize the King and to sweep off his favourites. While they were considering how to execute their resolution a knock was heard at the door; it was Cochrane with a message from the King. The Earl of Angus instantly seized and pulled the gold chain from Cochrane's neck, saying that "a rope would befit him better." "My lords," said he, "is it jest or earnest?" He was told that it was earnest, and was quickly bound and placed under guard. A party of the nobles, who were despatched to the royal tent, instantly seized the King's musician, Rogers, and the rest of his favourites. These were then led, along with Cochrane, to the Bridge of Lauder, where they were all hanged. After these cruel executions the nobles disbanded the army, returned to the capital with the King, and imprisoned him in the castle of Edinburgh; and thus left the southern quarter of the kingdom a prey to the enemy.<sup>88</sup>

The English retook Berwick, which henceforth remained in their possession. The English army, accompanied by the Duke of Albany, advanced to Edinburgh with the intention of placing him on the throne of Scotland. When Albany's aim was discovered, it was seen that the people would not submit to his scheme without a severe struggle. The unhappy and captive King had still some loyal and powerful adherents, including the Earl of Huntly, the representative of the house which saved the crown of James II. By the efforts of these and the citizens of Edinburgh, the King was released from prison,<sup>89</sup> and a partial reconciliation between him and Albany was effected, on the ground that Albany should return to his allegiance

<sup>87</sup> *Acts Parl. Scot.*, Vol. II., pp. 138-139.

<sup>88</sup> Buchanan's *Hist. Scot.*, B. XII., Ch. 46; Lesley's *Hist. Scot.*, p. 48; Pit-scottie.

<sup>89</sup> On the 16th of November, 1482, the King granted a charter to the citizens of Edinburgh, which constituted the provost-sheriff within the boundaries of

and be restored to his estates. For a short time Albany attempted to rule the kingdom.

On the 2nd of December, 1482, a Parliament met at Edinburgh, which was under the control of Albany. A number of Acts were passed, in one of which the King was made to express his warm thanks to his brother for delivering him from imprisonment; and the unhappy King was also forced to entreat Albany to accept the office of Lieutenant-General of the Kingdom. Albany further received a grant of the Earldom of Mar as a reward for his great services to the State. Thus Albany was virtually placed in supreme power.

But he continued his intrigues with the English Government, and entered into new plots and engagements. When his treason became known his position was untenable, and he was forced to retire to England; but, before he departed, he placed the castle of Dunbar in the hands of the English. Edward IV. died on the 9th of April, 1483, and this event, and those which followed in England, upset Albany's schemes. A Parliament met at Edinburgh on the 24th of June, 1483, to which Albany was summoned to appear and answer to a charge of treason; as he failed to appear, his estates were forfeited to the Crown, and also the lands of his chief adherents. Albany afterwards crossed the English Channel, and finally settled in France.<sup>90</sup>

A party of the nobles, chiefly connected with the southern part of the kingdom, still continued to plot against the King with the intention of dethroning him, and for the ensuing five years the Government and the country were in an unsettled state. Truces for short periods were concluded with England, and in 1485 the league with France was renewed. Although Parliaments were assembled and many Acts passed touching the disorder of the kingdom, the holding of courts, and the repression of crime, the affairs of the Church, the currency of the kingdom, commerce, and the herring-fishery, still the conspiracy against the King was proceeding. Queen Margaret died at Stirling in 1486, and she left three children—Prince James, the heir to the throne; John, who received the title of Earl of Mar; and

the burgh for ever; and another charter which confirmed to the citizens of the burgh the customs of the port of Leith, for assisting in his deliverance from prison. *Burgh Records of Edinburgh*, Vol. I., p. 43, 332.

<sup>90</sup> *Acts Parl. Scot.*, Vol. II., pp. 142-152.



the Duke of Ross, who was born in March, 1476, and educated under George Schaw, Abbot of Paisley; he was appointed Archbishop of St. Andrews in 1497, Chancellor of the kingdom in 1502, and died in 1503. The year following the death of his Queen, James III. opened communication with Henry VII. with a view to a marriage with the widow of Edward IV.; but the hapless King of Scots soon had other work to engage his attention.<sup>91</sup>

The conspiracy of the nobles against the King was matured. It had occurred to them that the King's son, a youth of sixteen years of age, would serve their purpose, and the southern nobles induced him to join them, and rise in rebellion against his own father. They mustered their followers and advanced upon Edinburgh, where the King was then staying. James crossed the Forth and passed into the northern counties, which were loyal, and there a strong army rallied round him. He then marched southward, and came in sight of the rebellious nobles at Blackness, in West Lothian, where the Earl of Buchan attacked and drove back the advance wing of the insurgent army. A pacification was arranged in May, 1488, and the King disbanded his army and returned to Edinburgh, as the nobles had promised to return to their allegiance, to maintain the rights of the Crown, and the peace of the kingdom.

But the disaffected nobles remained in arms, with the young Prince at their head, whom they used as their tool. The hapless King again mustered an army, and advanced towards Stirling to secure the passage of the Forth, but the gates of the castle were closed against him, as the Governor had joined the insurgent nobles. On the 11th of June, 1488, the two armies approached each other at a small brook called Sauchie Burn, about a mile from the field of Bannockburn. An engagement ensued, and though the royal troops were outnumbered, the action was long and fiercely contested. The King, in retiring from the field, was thrown from his horse, and some of the rebels came up and killed him. Thus fell James III., in the thirty-seventh year of his age, and the twenty-eighth of his reign, another victim to the ambition of a reckless aristocracy.<sup>92</sup>

The victorious nobles passed the night on the field of battle, and on the following morning proceeded to Linlithgow; and that day,

<sup>91</sup> *Acts Parl. Scot.*, Vol. II., pp. 165-184; *Fœdera*, Vol. VII., pp. 236, *et seq.*; *Accounts of the Lord High Treasurer of Scot.*, Vol. I., Pref., p. 64.

<sup>92</sup> *Pitcottie*, pp. 133-143; *Buchanan*, B. XII., Ch. 61; *Acts Parl. Scot.*, Vol. II., p. 184.

the 12th of June, the prince issued a proclamation, and granted a commission to William Hepburn, as Clerk of Council and Register. The dominant party immediately seized the Government and the royal treasure, divided the chief offices among themselves, and placed the royal castles in the hands of their own adherents. On the 25th of June the Prince was crowned at Scone, with the usual circumstance and ceremony, under the title of James IV.; and the faction who had raised him to the throne pampered his youthful passions and propensities. Theatrical farces, dances, and masked balls, were got up for his special amusement, and in this way the nobles degraded the character of the young King.<sup>93</sup>

The party of the nobles who had attained the ascendancy exerted themselves to the utmost to secure their position. They appointed an embassy to proceed to the English courts, headed by the Archbishop of St. Andrews, and the Bishops of Glasgow and Aberdeen, but Henry VII. had not much confidence in the new Government. They obtained, however, a renewal of the truce between the two kingdoms. At home they acted with surprising energy; the supporters of the late King, including the Earl of Buchan, Lord Forbes, Lord Bothwell, Sir Alexander Dunbar, and others, were summoned to appear before Parliament and answer to a charge of treason. Parliament met at Edinburgh on the 6th of October, 1488, and proceeded to consider the position of those who had been summoned for treason. The Earl of Buchan appeared, and tendered his submission to the King, and he was pardoned and restored to favour. None of the others cited appeared, and consequently their possessions were placed at the disposal of Parliament; and Lord Bothwell, John Ross, the late King's advocate, and others, were forfeited. Ross's lands were given to Patrick Home of Fast Castle; and the lordships of Bothwell and Crichton were formed into the Earldom of Bothwell and given to Patrick Hepburn, Lord Hailes, who was then created Earl of Bothwell, as a reward for his service to his country at Sauchie Burn. The leading members of this Parliament having succeeded so far, proceeded to investigate the causes of the recent rebellion. After carefully examining the whole matter, they unanimously came to the conclusion "that the slaughter committed in the field near Stirling, where the King's father happened to be slain, and others of his

<sup>93</sup> *Accounts of the Lord High Treasurer of Scot.*, Vol. I., pp. 79-87, 276, 277, 280, 288, 293, 304, *et seq.*

barons, was solely to be ascribed to the offences, falsehood, and deceit practiced by him and his wicked counsellors before the battle. Therefore our King that now is, and the true lords and barons who were with him in the same field, were innocent, quit, and free, of the said slaughters, battle, and pursuit, and did not cause or occasion them." To this statement the leading nobles of the party, some of the bishops and burgesses, affixed their seals, in order that copies of it might be sent to the Pope, the Kings of France, Denmark, Spain, and other foreign powers.

Some concessions were granted to the supporters of the late King and their kindred. It was enacted that the heirs of those who had fallen in arms against the King at the battle near Stirling, should be allowed to succeed to their estates, notwithstanding the legal difficulty that their predecessors were slain when in open rebellion. The goods belonging to the poor and unlanded people, which had been seized during the recent struggle, were to be restored to them; and that castles and lands, which had been plundered and occupied by either party, were to be delivered to their owners.<sup>94</sup> Still, there were murmurs amongst the people concerning the hard fate of the late King. In 1489 the Earls of Lennox and Huntly, Lord Forbes, and others, rose in arms against the party in power; but after a short struggle, they were defeated, and the rising extinguished. The dominant faction then ran its course; and James IV. gradually assumed his proper functions, and became an active prince. Yet a parliament which met at Edinburgh on the 6th of February, 1492, found it necessary to allay "the heavy murmurs of the people concerning the death and slaughter of our sovereign lord's father, whom God absolve, King James III., that those who slew him should be punished as they deserved to be." A reward of a hundred marks of land was then offered to any one who should reveal the perpetrators of the deed;<sup>95</sup> but the reward was never claimed.

Parliament assembled at Edinburgh in May 1493, and proceeded to pass enactments touching the Church. All those who had pleas depending in the Court of Rome were commanded to cease their litigation in that Court, and bring their pleas before the courts of the kingdom, where justice should be administered to them. Acts were passed which aimed at withdrawing the appointment to the benefices

<sup>94</sup> *Acts Parl. Scot.*, Vol. II., pp. 199, 201-205, 209-211, 269.

<sup>95</sup> *Ibid.*, pp. 223, 230.

of the monasteries from the Court of Rome. The rights and the privileges of the Archbishops of St. Andrews and Glasgow were confirmed. The doom of treason was to be pronounced against every one who attempted to take the King's rights of patronage to the Court of Rome. Yet it appears that this was not effective, for in 1496 parliament renewed the former Acts, and passed a new one, which runs thus :—"For the honour of the kingdom and the good of the community, and for averting innumerable evils daily incurred upon the kingdom and the people through the exorbitant cost and expense of churchmen, by their purchasing at the Court of Rome benefices and elections contrary to the Acts of Parliament. Also by purchasing and bringing in of novelties and innovations into the Church without the advice of the King, distraining the kingdom of money, and putting the King and patrons out of their possessions. Hereafter, all those who go out of the realm on such business, without a license from the King, shall be proclaimed rebels and put to the King's horn."<sup>96</sup>

This parliament directed its attention to the state of the Highlands, and it was alleged that since 1475 repeated attempts had been made in the name of John, Lord of the Isles, to recover the earldom of Ross, which was then held by the King's brother. Therefore the title and the estates of the aged Lord of the Isles were forfeited to the Crown. Shortly after he surrendered to the King, and retired to the monastery of Paisley, where he died in 1498, and was interred in the tomb of his royal relative, King Robert III.

After the surrender of the Lord of the Isles, preparations were made for an expedition into the Highlands and Islands with the aim of establishing the royal authority. Towards the end of the summer of 1493 the King proceeded to the Isles, and received the submission of several of the chiefs. In the spring of the following year the King again visited the Isles, and repaired and garrisoned the castle of Tarbert as a base of operations. He reduced the castle of Dunaverty in Cantyre, garrisoned it, and then returned to Stirling in August. It seems that James IV. did not adopt an effective mode of governing the Highlands and Islands, though he was active and moved about rapidly, he followed no defined and clear line of government. In autumn he proceeded with the Northern Circuit Courts, and was in Inverness on the 6th of October, and in Elgin at the end

<sup>96</sup> *Acts Parl. Scot.*, Vol. II., pp. 232, 237.



of the month ; thence he passed to Banff and Aberdeen, and then returned south. Starting from Edinburgh early in February 1495, he followed the Southern Circuit Courts to Lanark, Peebles, Selkirk, Jedburgh, Dumfries, and Ayr. In May he was at the castle of Mingarry, in Ardnamurchan, and a number of the local chiefs rendered submission to him, including the chief of Clanranald, and Ewen, son of Alan of Lochiel, Captain of the clan Cameron. But James returned to Glasgow before the end of June ; what have been called his expeditions to the Highlands and Islands were merely flying visits.<sup>97</sup> Still, it seems that the King and his government had a good opportunity, after the surrender of the Lord of the Isles, for improving the government of the Celtic people, and if they had been reasonably treated and properly ruled, they would have soon settled into a state of comparative quietness and order under the Crown. Unfortunately the King and his government, after a time, divested themselves of their functions and responsibilities to govern the Celtic people of the Highlands and Islands, and assigned this duty to local and interested nobles.

The head of the Campbells, who had then attained the rank of Earl of Argyle, practised a policy of encroachment on the small proprietors and clans in his neighbourhood. In the year 1502 all the charters which had been granted by the King to the vassals during the last five years were summarily recalled. The Earl of Argyle was appointed the King's Lieutenant, and empowered to let on lease for a term of three years the whole lordship of the Isles. Argyle immediately proceeded to evict the proprietors and their tenants from their lands and houses : and the lands were appropriated by Argyle himself, and a few of the King's favourites. The natural result followed ; the evicted people rose in rebellion. As the Earl of Argyle had obtained the functions of a King in the Western Highlands and Islands, so in the beginning of the sixteenth century Alexander, third Earl of Huntly, was appointed Sheriff of Inverness, Ross, Sutherland, and Caithness ; and also keeper of the Castle of Inverness, to which office there was a large extent of land attached. Huntly had territories in Badenoch and Lochaber, and the strong castle of Ruthven, although the centre of his power lay in Strathbogie, in the counties of Aberdeen and Banff. These two Earls and their successors, for

<sup>97</sup> *Accounts of the Lord High Treasurer of Scot., Vol. I. ; Gregory's History of the Western Highlands and Isles of Scotland.*

upwards of a century may be said to have ruled the Highlands and Islands of Scotland; and each earl within his region often caused disorder, and committed many acts of aggression and injustice upon the Celtic people.

When a Government renders its subjects landless and homeless, rebellion is likely to be the result. After causing a rising of this nature the King summoned a parliament, which met at Edinburgh in March, 1503. This parliament and the King then proclaimed that—"If any one should apprehend and bring to the King, Maclean of Lochbuy, great Macleod of Lewis, or MacNeil of Barra, they shall receive the half of these rebels' lands; and if they capture and bring to the King any other head-men, or any Highland man whatever connected with the rebellion, they shall be rewarded therefor according to the value of the land and the goods of the persons taken."<sup>98</sup> Such severe measures only served to incite the people to rebellion; and it was only after a struggle of three years that it was extinguished. The Earls of Argyle and Huntly, with the sanction of the King, assumed and exercised the functions of local and despotic rulers.

In the reign of James IV. the relations of Scotland became more interwoven with the other kingdoms of Europe, and she then really entered the field of European politics. Scotland had diplomatic communications with the Kings of France, Spain, the Pope, and other powers. James IV. had a fondness for excitement and adventure, and a feature of romance in his character, while his feelings and emotions were excessively strong, as manifested in various forms. He was not an adept in diplomacy; in that sphere of action he was apt to be duped, and an instance of this may be narrated. Perkin Warbeck, a son of a Florentine Jew, was persuaded by the Duchess of Burgundy, a sister of Richard III. of England, to personate her nephew Richard, a brother of Edward V. This character, accompanied by six hundred men, attempted to land at Kent in July, 1495, but he was repulsed, and one hundred and fifty of his followers were captured and executed. The adventurer next made an effort to obtain a footing in Ireland, but he failed. Undaunted by these failures, Perkin pursued his mission, and with his retinue he arrived at Stirling on the 20th of November, 1495. He was at once received by James IV. as "Prince Richard of England," and was conducted to apartments which had been prepared for him in Stir-

<sup>98</sup> *Acts Parl. Scot.*, Vol. II., pp. 240-250.

ling. Immediately letters were despatched to the lords and nobles of Athole and Strathern, and to Earl Marischal and the barons of Angus, commanding them to meet the King and the Prince at Perth; that they might have the honour of being presented to Prince Richard. As it was intended to wage war in support of the claims of this noble Prince, letters were sent to the sheriffs ordering wappenschaws to be held throughout the kingdom. Perkin soon became a great favourite of the King; and he was married to the King's cousin, Lady Gordon, a daughter of the Earl of Huntly, a personal allowance of £1,200 a year being granted to him, while his followers were quartered and maintained among the burghs. Perkin moved through the kingdom in the style of a prince, staying at Perth, Falkland Palace, Stirling, Linlithgow, Edinburgh, and other places, for short or long periods as suited his pleasure.

The King having resolved to support the claim of Perkin Warbeck to the throne of England, ordered the crown vassals to muster at Lauder. The artillery stored at the King's work in Leith, the castle of Edinburgh, and the Abbey of Holyrood, was inspected and put in order. Parties of workmen were sent to the woods of Melrose and of Irneside to make carts, wheels, and all the requisite timber appliances, while the King's forge was used for preparing the necessary ironwork. New tents were made for the King, and a banner of red and blue taffeta for Perkin, who had now assumed the title of Duke of York. The preparations for the invasion of England were completed on the 12th of September, 1496. John Sandilands of Hillhouse, who had charge of the artillery, was ready to advance. The master-gunners were mostly foreigners, the rest were craftsmen, smiths, carpenters, and quarrymen, who were also trained to work the guns. Before starting the bellman was thrice sent through Edinburgh calling for workmen to engage for wages, and one hundred and forty-three carters, with one hundred and ninety-six horses, were hired for fourteen days' service at a shilling a day for each man or horse, for the conveyance of the guns, carts, tents, and other war materials, "and seventy-six men with spades and mattocks to clear a way for the artillery." On the 14th the King and the Duke of York made their offerings in Holyrood, and ordered a trental of masses for the success of the undertaking, and then marched southward. The Scots crossed the Border and entered Northumberland; the Duke of York then issued a manifesto to his subjects, declaring that he had come to deliver them from the usurpation and tyranny of Henry

VII.; but the English showed no signs of enthusiasm for a new King introduced by a Scotch army. The King and his army plundered Northumberland, and returned to Scotland. On the 8th of October the King and the Duke had returned to Edinburgh.

After this inglorious and utter failure, Perkin's followers soon fell away. James IV. at last discovering that the cause of Perkin was unpopular among the Scotch people, resolved to send him away. A ship called the *Cuckoo* was equipped at Ayr, and stored with provisions, which consisted of seventeen carcasses of beef and twenty-three of mutton, four tuns of wine, ten pipes of ale, two pipes of cider and beer, two thousand biscuits, eight bolls of oatmeal, a hogshead of herring, twelve keling, and six stone of cheese, and there was also a store of peats, coal, and one hundred candles. In the middle of July, 1497, Perkin, his wife, and about thirty attendants, sailed from the port of Ayr, under the care of Robert Barton, a skilful mariner, and on the 26th of July he arrived at Cork, where he was coldly received; thence he sailed with three small ships for Cornwall, and landed at Whitsand Bay on the 7th of September. He assumed the title of Richard IV. and raised his standard. About three thousand men joined him, and he attacked Exeter; but he was captured on the 5th of October and carried to London. He was first placed in the stocks at Westminster, and then imprisoned in the Tower. Having plotted with the Earl of Warwick to escape from the Tower, and killed a lieutenant, he was hanged at Tyburn on the 28th of November, 1499. Thus ended the career of Perkin Warbeck.<sup>99</sup>

After Warbeck's departure great preparations were made for a raid into England. A strong force was mustered at Melrose, and the artillery was put in order at Edinburgh and Leith, and a large number of gunners, men, oxen and horses, were hired to convey the guns and war materials. But the only result of these preparations was an unsuccessful siege of the castle of Norham, and the usual plundering. On the 30th of September, 1497, a truce for seven years was concluded between the two kingdoms, which was subsequently extended to continue during the lives of the two Kings.

James IV. was an exceedingly popular King, as he was constantly moving through the kingdom on pilgrimages, or with the cir-

<sup>99</sup> *Accounts of the Lord High Treasurer of Scotland*, Vol. I., Pref., pp. 126-128, 139-142, *et seq.*; *Exchequer Rolls of Scot.*, Vol. XI. I have stated above that this impostor was a son of a Florentine Jew, but according to Perkin's own confession he was a native of Tournay in Flanders.



cuit courts, and was often seen by all classes of his subjects in every quarter of the country. He was open-handed with his money, and in his movements through the kingdom always paid even for the smallest services. In July, 1496, Don Pedro de Ayala, the Spanish Ambassador, arrived in Scotland; he was an able and accomplished man of the world, and having proceeded to the Scottish court, as the representative of the greatest power in Europe, he found the King of Scots to be an attractive character. The Spanish Ambassador said: "When I arrived he was keeping a lady with great state in a castle. He visited her from time to time. Afterwards he sent her to the house of her father, who is a knight, and married her." This lady was Margaret Drummond, the youngest daughter of John Lord of Drummond, and she was then living in Stirling Castle. For the year 1496 the records contain considerable sums of money which were paid to defray her expenses while she was residing in Stirling, and in Linlithgow. She returned home in the spring of 1497, and that year she bore a daughter to the King. This child in due time became the wife of John Lord Gordon, and thus she was the mother of the fourth Earl of Huntly.<sup>100</sup> The sad tragedy which befell Margaret Drummond and her two sisters occurred in 1502. While residing at Drummond Castle the three sisters, after partaking of breakfast, died in extreme pain, there being a strong suspicion that they had been poisoned.

At an early age James IV. formed an intimacy with Margaret, or Mariot, Boyd, a daughter of Archibald Boyd of Bonshaw, and by this lady the King had a son, who was born about the year 1491. This son of James IV., on the death of his uncle, the Duke of Ross and Archbishop of St. Andrews, in 1503, was appointed to the primacy, which he held for ten years. He was slain at the Battle of Flodden. James IV. formed another illicit intimacy with Janet Kennedy, a daughter of Lord John Kennedy, and by her he had a son, who was born about the year 1500, and named James Stewart. In 1501 Janet Kennedy retired with her infant son to the castle of Darnaway in Moray, and there the child was brought up as Earl of Moray.<sup>1</sup>

Some of the obstacles to the King's projected marriage having been removed, as indicated in the preceding paragraphs, negotiations

<sup>100</sup> *Accounts of the Lord High Treasurer of Scot.*, Vol. I.; *Exchequer Rolls of Scot.*, Vol. XII.

<sup>1</sup> *Exchequer Rolls of Scot.*, Vol. XII.

were opened in June 1499, to treat for his marriage with the Princess Margaret, daughter of Henry VII. The negotiations proceeded smoothly, but, as James and Margaret were within the prohibited degrees of relationship, Henry VII., in July, 1500, had to obtain a papal dispensation which removed this impediment to the marriage. In November 1501, Henry VII. empowered the Earl of Surrey, and the Archbishop of Canterbury, and the Bishop of Winchester, to treat with the Earl of Bothwell, the Archbishop of Glasgow, and the Bishop of Moray, on all the matters connected with the proposed marriage. They immediately entered on their arduous task, and before the end of January 1502, they framed three treaties :—one sanctioning the marriage between the Princess and the King of Scotland ; another for a perpetual peace between the two kingdoms ; and the other providing for the preservation of order on the marches of the two countries. In the marriage treaty it was stipulated that the Princess should be conveyed to Scotland, at her father's expense, and delivered to those appointed to receive her at Lamberton Church in Lammermoor, on or before the 1st of September, 1503 ; and that the marriage should be solemnised within fifteen days thereafter. Immediately after the marriage the Queen should obtain seisin of all the lands, castles, and possessions, which had in past times formed the jointure of Queen dowagers ; and if the rents of these possessions be below £2000 sterling, additional lands should be assigned to her. The Queen should be allowed twenty-four English servants, also Scotch retainers, and her husband should, at his own cost, maintain her in a style befitting her rank as a Queen's daughter and a King's consort, and provide her with a yearly allowance of 500 marks sterling. Her dowry, amounting to £10,000 sterling, was to be paid by her father in three instalments, £3,333 on the marriage day, and the remainder within three years ; and if the Queen died without issue within this period, then James IV. should have no right to the unpaid balance. The treaties were duly ratified, and Lord Dacre, Sir Thomas Darcy, Sir Henry Babington, and other commissioners were sent from England to see that the contemplated arrangements touching the jointure lands, and the punishment of offenders on the marches, were carried into effect.<sup>2</sup>

On the 12th of July James IV. promised to Henry VII. not to

<sup>2</sup> *Fœdera ; Calender of Documents relating to Scot.*, Vol. IV., pp. 332-336, *et seq.* ; *Exchequer Rolls*, Vol. XII., p. 185.

renew his league with France "till he consults with him, or is further advised." James also promised to pay suitable wages to Queen Margaret's English attendants.

Under the care of the Earl of Surrey the young Princess commenced her journey to Scotland in the beginning of August, accompanied by a retinue which increased as it advanced northward. The Earl of Morton and a number of Scotch nobles proceeded to Lamberton Church and received the Princess, and James joined the party at Newbottle. The marriage was celebrated on the 8th of August, 1503, in the church of Holyrood, amid great rejoicing and magnificent display. Exactly one hundred years later, the issue of this marriage united the Crowns of England and Scotland.

It has been already mentioned that the relations of Scotland with foreign powers had assumed some importance. Henry VII., as we have seen above, had exacted a promise from his son-in-law that he would not renew his league with France without consulting him ; but Louis XII. of France despatched Bernard Stuart, Lord of Aubigny, as his ambassador to the Scottish King. James received him with the utmost respect, and placed him in the most honourable seat at his own table. Subsequently Pope Julius II. sent an ambassador to the Court of Scotland, who presented to James IV. a consecrated hat and sword as a special mark of the Holy Father's regard for him. The object of the Pope was to detach the King from his alliance with France, but he utterly failed. Shortly after, an embassy from the King of France arrived in Scotland, with the object of inducing the King to join the Cambray League, which had been formed in 1508 against the Republic of Venice. It appears that Henry VII. had some suspicion of his son-in-law, for, on the 12th of December, 1508, he issued instructions to the Captain of Berwick, in which it was stated that "if the Scots threatened an invasion or besieged the town, the garrison of the castle should be increased to six-hundred-and-thirty men."<sup>3</sup>

Henry VII. died on the 21st of April 1509, and it may be said with truth that by his death Scotland lost a friend and an unusually quiet neighbour. His son, Henry VIII., who succeeded to the throne of England, was a different personage, and not long after his accession the old strife was renewed.

<sup>3</sup> Pinkerton's *Hist. of Scot.*, Vol. II. ; *Calender of Documents relating to Scot.*, Vol. IV., p. 351.

James IV. took an interest in shipbuilding, and in his reign Scotland attained some importance as a naval power. Although there were no war ships, strictly speaking, as the same ships were used for both commerce and war, according to the exigence of circumstances. Still, in a limited sense, it might be said that the King possessed a navy. The King's most distinguished captains were Sir Andrew Wood and the Bartons, while the ships which won distinction, the *Yellow Carvel*, the *Flower*, and others, were simply armed merchantmen.

At this period the distinction between honest trading and piracy was not clearly drawn, and it was alleged that the Scottish captains sometimes indulged in piratical exploits. Owing to the complaints of English merchants against the Scotch captain, Andrew Barton, Lord Thomas Howard and Sir Edward Howard, with two men-of-war, attacked Barton's ship, the *Lion*, and a small sloop called the *Pirwen*, in the Downs. After a long and severe fight Barton was killed, and his ships detained as prizes. James IV. immediately sent a herald to demand satisfaction, but Henry VIII. replied that the destruction of pirates was no infringement of their treaty. Other causes of quarrel soon arose.

Henry VIII. resolved to engage in a war against France, the ally of Scotland. Ambassadors from the Pope, Spain, and England, arrived in Scotland for the purpose of persuading James IV. to join in the war against France; but all their efforts proved in vain. James IV. declined to abandon his old ally, and resolved to assist France by an invasion of England. Attempts were made to dissuade the King from engaging in a war with England, but he had formed his resolution, and determined to adhere to it and abide the issue. In the summer of 1513 he ordered the whole feudal force of the kingdom to muster on the Borough Moor, near Edinburgh; and on the appointed day a large army assembled. The King placed himself at the head of his army and marched southward. On the 22nd of August he crossed the Tweed and encamped on the banks of the Till. There he passed an Act, which ordered that the heirs of all who fell in this war should be free from the feudal burdens of "ward, relief, and marriage," whatever their age might be. The army marched along the side of the Tweed, and besieged the castle of Norham, which was captured on the 29th of August. Valuable time was lost in taking the border castles of Wark, Etal, and Ford, which gave the enemy an opportunity of mustering his forces and



advancing against the Scots. The English army, under the Earl of Surrey, was advancing northward, and messages passed between him and James IV. Although James was brave and determined, as general of an army he had no qualifications whatever ; his idea of leadership was simply to make a stand-up fight.

On receiving intelligence of the approach of the English army, the Scots quitted their encampment and took up a strong position upon Flodden Hill. When Surrey observed the position of the Scots, he did not deem it wise to attack them then. He passed the Till on the 8th of September, and marched in a north-westerly direction till near the confluence of the Till and the Tweed, and then recrossed the Till at Twisel Bridge. By this movement Surrey placed his army between the Scots and their own country. He then drew up his army in battle array on the left bank of the Till. When the Scots saw that they were outgeneraled, they set fire to the tents of their encampment, descended from the Hill of Flodden and took possession of the neighbouring height of Brankston, towards which the enemy was advancing from the opposite direction.

The opposing armies were nearly equal in numbers, each numbered about thirty thousand men. The English advanced in four divisions, and the centre of their line of battle was commanded by the Earl of Surrey. The left wing of the Scots was commanded by the Earl of Huntly and Lord Home, and the right wing by the Earls of Argyle and Lennox, and the King in person and on foot led the centre. At four in the afternoon of the 9th of September 1513, the battle commenced with cannonading on both sides ; the English artillery was better served than the Scotch, and did considerable execution in the ranks of the latter. Huntly and Home with the left wing of the Scots attacked the English vanguard and drove it back in disorder ; but the English reserve then advanced and kept Huntly in check. After a long and severe struggle, in which the Earls of Lennox, Argyle, Crawford, Montrose, and many others were slain, the right and left wings of the Scots were completely routed. Meantime, the King and the Earl of Surrey were wrestling in a fierce hand-to-hand combat in the centre. The King placed himself in front of his spear-men and fought with the utmost fury and bravery, and the English ranks were repeatedly broken and Surrey's standard threatened. At last the King and his division were completely surrounded by the enemy ; still the Scots fought in a circle with their spears extended and repelled their assailants :—

“ The stubborn spearmen still made good,  
Their dark impenetrable wood,  
Each stepping where his comrade stood,  
The instant that he fell.  
No thought was there of dastard flight,  
Link'd in the serried phalanx tight ;  
Groom fought like noble, squire like knight,  
As fearlessly and well.”<sup>4</sup>

At length the King himself fell mortally wounded in the head within a spear's length of the Earl of Surrey ; yet the Scots continued to fight till night put an end to the contest. Surrey then withdrew his forces, for he was uncertain of the issue of the battle as the Scottish centre remained unbroken ; but when day dawned, it was seen that the Scots had retired from the field, and left their artillery standing on the side of the hill.

The loss of the Scots on Flodden field was lamentable. Upwards of eight thousand men were slain, including the King and his son, the Archbishop of St. Andrews ; twelve Earls, Lennox, Argyle, Athole, Erroll, Crawford, Morton, Montrose, Bothwell, Caithness, Cassilis, and Rothes ; five eldest sons of peers ; fifteen lords and chiefs of clans ; the Bishop of Caithness, the Abbots of Inchaffray and Kilwinning, and the Dean of Glasgow, and La Motte, the French ambassador. Indeed there were scarcely a single family of note in the kingdom but had lost some of its members. The English lost about five thousand men, and Surrey disbanded the remainder of his army. The body of James IV. was found by Lord Dacre among the slain ; and it was embalmed and subsequently placed in the monastery of Sheen in Surrey.

Scott's *Marmion*.

## CHAPTER X.

*The Social Condition of the Nation in the Thirteenth and Fourteenth Centuries.*

IN this chapter the social state of the people will be treated at length. The government and the administration of justice, the power of the nobles, and the condition of the tenants and labourers of the land, will be explained ; the state of the burghs and towns ; the habits, dress, and amusements of the people will be handled ; the state of the Church, the religious sentiments of the people, and many other matters associated with the life of the people and the state of society, will be touched on.

A notice of the King's Council and its function was given in a preceding chapter, and its relation to feudalism indicated. The Scotch parliament gradually arose from these meetings of the twelfth and thirteenth centuries which were frequently mentioned in preceding pages. One of the stipulations of the treaty of Brigham declared that no parliament should be held beyond the boundaries of the kingdom to treat on Scotch affairs. John Baliol held a meeting at Scone in 1293, and another at Stirling the same year, and both were called parliaments in the record. From this date the term parliament was freely applied to assemblies of a national and legislative character. A parliament met at Dunfermline on the 23rd of February 1296, and ratified the treaty between Baliol and the King of France ; and the seals of four bishops, four monasteries, four earls, eleven barons, and six of the burghs, namely, Aberdeen, Perth, Stirling, Edinburgh, Roxburgh, and Berwick, were affixed to the treaty. Still, from the phraseology of the deed itself, it is uncertain whether the representatives of the burghs were actually present, and voted in parliament, as their consent might have been obtained in some other way.<sup>5</sup>

<sup>5</sup> *Acts Parl. Scot.*, Vol. I., pp. 89-97. On the 29th of March 1298, William Wallace, Guardian of the kingdom of Scotland, in the name of King John, and the consent of the community, granted a charter to Alexander Scrymgeour, conferring on him and his heirs the office of hereditary Constable of Dundee.

Robert Bruce held a parliament at St. Andrews on the 16th of March 1308, in which a letter to the King of France was dictated. The parties consenting to the document were styled earls, communities of all the earldoms of the kingdom, Edward Bruce of Galloway, James, the Steward of Scotland, Alexander of Argyle, Donald of the Isles, Robert Keith, Mareschal of Scotland, and other barons, and also the barons of Argyle and Torchegall, and the whole inhabitants of the kingdom. In November 1314 Bruce assembled a parliament at Cambuskenneth, in which the bishops, earls, barons, and others of the nobility, but not all the communities of the kingdom, were present. In the parliament held at Ayr in 1315, the heads of communities affixed their seals to a deed; and the parliament which met at Scone in December 1318, settled the succession to the throne, and also passed a number of other Acts. The record stated that these were enacted "by the counsel and the express consent of the bishops, abbots, priors, earls, barons, and the whole community of the kingdom in our full parliament held at Scone." Still it may be doubted if the representatives of the burghs were actually present as in a parliament, or gave their consent by voting in any of the meetings noticed above. But in the parliament which met at Cambuskenneth on the 15th of July 1326, there is clear evidence that the burgesses sat with the earls, barons, and free tenants. This parliament voted a supply to meet the expenses of the War of Independence. It was then resolved that owing to the diminished value of the Crown lands and revenues, as the result of the war, a tenth penny should be granted to the King out of all the rents, to be computed, except in some cases of extreme devastation, according to the old extent of the reign of Alexander III. From this date onward the representatives of the burghs usually sat in full parliaments, and were recognised as a constituent branch of the great legislative and supreme assembly of the nation.<sup>6</sup>

It is necessary to observe further, in reference to the occurrence in the national records in times anterior to the period under review, of such expressions as "with the consent of the people," "with the consent of the community," "with the consent and assent of all the people of the kingdom," that such phrases were not always, or even usually, devoid of historic reality, truth, and value. Although the great body of the people were not represented in the King's

<sup>6</sup> *Acts Parl. Scot.*, Vol. I., pp. 91-127, *et seq.*



council, in parliament, or in any other legally specified form, still the voice and consent of the people in reference to great undertakings, and the sanction of important matters, was frequently sought and obtained by the supreme heads of the kingdom from an early period. In preceding chapters many indications have been incidentally mentioned as to how the voice and consent of the people was obtained; as, for instance, when the people assembled at the coronations of the Kings on the Mote Hill of Scone. On such occasions the assembled multitude gave their "consent and assent" to the inauguration of the Kings as their lawful and rightful rulers. At the election of bishops, and other public officials in early times "the consent and assent" of the people was sought and given in a similar way. When Robert II. obtained the solemn sanction of parliament to his settlement of the succession to the throne of Scotland in the male line, in 1373, was he then satisfied with this sanction? No; for it has been already stated, in a preceding chapter, that immediately after the sanction of parliament was given and completed "the whole multitude of the clergy and the people in the church of Scone before the great altar, being specially convened for the purpose, the afore-said declaration, ordinance, and statute, thus sworn (in parliament) being explained to them in a loud and public voice, each raising his hand, after the manner of faith-giving, in token of the universal consent of the whole clergy and people, publicly expressed and declared their consent and assent."<sup>7</sup> This mode of obtaining the "consent and assent of the people" to a great and important national matter was not an innovation of the first Stuart king, it was simply a revival of a customary manner in which the people had sanctioned, and given their "consent and assent" to public matters associated with government for probably thousands of years before the period of parliaments.

During the minority of David II. few records of the parliaments which assembled have been preserved; but, after his return from captivity, several rolls of the parliamentary proceedings of the later part of his reign still exist. From its origin onward the Scotch parliament assumed and exercised the functions of a Supreme Court of appeal and review. It seems to have extended its power considerably in the reign of David II. Parliament then treated the details of the administration of justice, the coinage and the currency of the

<sup>7</sup> See under p. 315.

kingdom; and it assumed the power and right to dictate terms of peace with foreign kingdoms; and directly controlled the King himself in his expenditure. This had become necessary owing to the character of the King, and his intention to degrade and extinguish the independence of the nation, as was shown by an enactment passed in a parliament held at Scone in 1367—"that no officer should put in execution any royal warrant against the statutes and common form of law."

In the fourteenth century small barons and free tenants considered that it was a great hardship to have to attend parliament. As yet there was no regular representation. From this reluctance to give attendance, some of the peculiarities of the Scotch parliament, and the mode of conducting business in it, originated. In a parliament held at Scone in September 1367, it was stated that, as it was autumn, and inconvenient for many of the members to remain in attendance, a certain number of persons were elected to hold the parliament, and the rest were permitted to return home. The following year parliament assembled at Perth in March, and owing to the inconvenience of the season and the dearth of provisions, certain persons were elected to hold the parliament, and they were divided into two committees, one to treat on the general affairs of the nation, and a smaller one to sit on appeals from the inferior courts. At another parliament, held in 1369 at Perth, two committees were appointed, one to deal with appeals, questions, and quarrels, which ought to be decided in parliament, and the other to treat on special and secret affairs relating to the King and the kingdom, previous to their being placed before the full parliament, as it was inexpedient that the whole body should assist at a deliberation of this character or be kept in attendance. In these arrangements the origin of two peculiarities of the Scotch parliament clearly appears, namely, the institution known under the name of "The Lords of the Articles," and "The Judicial Committee of Parliament."

There was little constitutional development during the reigns of the first two kings of the Stuart line. The statute passed in the reign of Robert III., which threw on the King and his officers the responsibility for the misgovernment of the kingdom, was noticed in a preceding chapter. In 1427 James I. attempted to introduce a form of representation of the small freeholders, but the act was totally ineffectual, as no representatives were actually returned to parliament;

while Acts continued to be passed for upwards of a century to relieve the small barons from attendance at parliament. In 1457 it was enacted that no freeholder, who holds of the King under the value of £20, should be constrained to attend in parliament or a general council. Again, in 1503, an enactment was passed which declared that no man should "be compelled to come personally to parliament whose lands were valued under one hundred marks." There was no regular form of representation of the small barons and freeholders in parliament till 1587.

Originally each of the royal burghs had to send at least two representatives to parliament, but the number of burgh members who actually attended was unusually small. The great officers of the Crown had a seat in parliament in virtue of their offices. The members of the Scotch parliament all sat and voted in one house. But there was a body called the 'Lords of the Articles,' which originated in the latter years of the reign of David II., as indicated above. At first they seem to have been elected to deal with special matters, but they soon obtained the initiative of all measures and the management of parliamentary business. The mode of electing the Lords of the Articles seems to have been thus:—The clergy elected a certain number from their own body, the nobles in like manner, and also the representatives of the burghs, and the great officers of the Crown were entitled to act among the Lords of the Articles in virtue of their offices. This body usually arranged and prepared all the acts and measures, which were then brought before the full parliament, and at once voted and passed, without debate or deliberation.

As stated in a preceding chapter, James I. made an attempt to establish a court of supreme civil jurisdiction; and in 1457, parliament enacted "that the Lords of the Session should sit thrice every year, and each time for forty days in these three places, Edinburgh, Perth, and Aberdeen, and that nine persons should sit, three from each estate." In 1503 parliament announced that "there had been a great confusion of summons at each session, as there was no time to bring them to an issue and ending, therefore it was statuted, that a council should be chosen by the King which should sit continually in Edinburgh, or where the King resides, or where he thinks fit, to decide all manner of summons in civil matters and causes daily as shall happen to occur; and should have the same power as the Lords of Session." These attempts entirely failed, and parliament continued to appoint its own Judicial Committee, who exercised the functions of

a court of appeal, and also decided causes in the first instance ; their jurisdiction was similar to that of the King's Council. In 1467 parliament ordered that "all summons and causes which were left undecided in this parliament, should be decided before the Lords of the Council ;" and causes which commenced in the one court were sometimes disposed of in the other. The proceedings of the Judicial Committee for the period from 1466 to 1494 have been printed, and also the judicial proceedings of the Lords of Council from 1478 to 1495. These books are the earliest body of recorded law cases which have been preserved in Scotland, and contain valuable historical materials. Trial by jury was a characteristic of these courts. Although the mode of taking evidence was crude, and testimony was admitted on a principle not admissible now, still there was a striking improvement as compared with the trial by ordeal and the processes of the twelfth and thirteenth centuries. The functions of both these judicial bodies were merged in the Court of Session established in the reign of James V.

In the fourteenth and fifteenth centuries the courts of the Church monopolised a large portion of the civil business of the kingdom. The Consistorial Courts of St. Andrews, Galloway, Edinburgh, and others, had a great mass of legal business to execute. Their jurisdiction embraced all cases of legitimacy and divorce ; the large class of cases connected with wills and executory ; the affairs of widows and orphans ; questions of slander, and disputes arising on contracts, if they had been sanctioned by an oath. The Consistorial Courts professed to take care of the affairs of the poor, and those who were unable to pay for the advice and assistance of lawyers, but contemporary literature does not give them much credit for the performance of this part of their duty.<sup>8</sup>

Owing to the introduction of Norman Feudalism and an extraneous nobility, from the beginning of the reign of David I. to the reign of Alexander III., the greater part of the land of the kingdom changed owners. David I. and his two grandsons bestowed lands on these extraneous nobles profusely, which entailed a legacy of enormous evil upon the nation, and created a disorderly condition of society. These Normans, mainly through their craft in forming marriage contracts, obtained possession of extensive territories and rose to influence and power ; and at last they claimed the Crown and kingdom

<sup>8</sup> Henryson's *Poems*, pp. 148-152. Laing's Ed., 1865.



of Scotland. They then sold the independence of this Crown and kingdom without "the consent or assent of the people." The invasion of the kingdom and the War of Independence ensued.

From the commencement of the War of Independence to the middle of the fourteenth century, the greater part of the land in the country changed owners three or four times. A number of those Norman nobles who sold the independence of the kingdom, and aided Edward I., II., and III., in their invasions of Scotland, at last forfeited their possessions in Scotland. Robert Bruce was the first Scotch king since the reign of Malcolm III., who discovered that no Norman noble could ride upon two horses at once running in opposite directions. The result of this was that Robert I. disinherited the Baliols, the Comyns, and many others; and then conferred their forfeited possessions on his own supporters, who had assisted him to recover the kingdom from the enemy. In this way a considerable number of the small families of gentry were raised to wealth, power, and influence; and amongst these were the Douglasses, Gordons, Lindsays, Campbells, Hays, and many other families. But unhappily Robert I. made no effort to limit the feudal power and the privileges of the nobles in relation to the land and the people; on the contrary, he rather extended their powers in these directions. He not only gave his nephew, Thomas Randolph, the earldom of Moray with the usual rights and privileges, but also conferred on him the burghs of Elgin, Forres, and Nairn, the customs of Inverness, the burgh of Lochmaben, extensive estates in the sheriffdoms of Dumfries and Berwick, and the island of Man. Bruce also gave the town of Cromarty to the Earl of Ross.<sup>9</sup>

Although Bruce during his own reign kept his nobles in restraint, owing to his success, yet in the reign of his son, David II., they greatly extended their power; while the weak reigns of Robert II., and Robert III., afforded the nobles many opportunities of extending their power, which they eagerly embraced; and ere the end of the fourteenth century they had attained to a position incompatible with any form of settled government. When two or three of the chief nobles united, they were more than a match for the King, and they often strengthened themselves in this way. They entered into bonds and leagues, by which individual nobles or families bound themselves to take part in the causes and quarrels of each other; and this reacted in

<sup>9</sup> *Exchequer Rolls of Scot.*, Vol. I.

the most disastrous way upon the social state of the nation. These bonds and leagues became so universal in the fifteenth century and the first half of the sixteenth, that there were scarcely a man in Scotland, above the rank of the smallest landholder, who was not bound in one or more of these private leagues. Such bonds were always confirmed by the oaths of the parties. The marriage alliances between families were also usually accompanied by a bond, obliging the parties to assist each other in "all their actions, causes, and quarrels, moved and to be moved, with their persons, goods, fortunes, castles, kin, men, and friends; and all that will do for them, contra and against all men that live and die may, their allegiance to our lord, the King, except." Thus powerful nobles who held bonds from a host of other nobles and barons sworn to take part in all their quarrels, were not likely to appeal to the ordinary courts of law for justice, when they could more effectively secure what they desired by force. So the King often found it necessary to suspend and to forbid the holding of courts, in order to prevent hostile collisions and bloodshed between rival barons and their armed vassals and sworn adherents. In July 1474 the King sent letters to the Earl of Buchan and the Lord Oliphant commanding them to stay their muster for the court of Forfar; it appears that they disobeyed the King, and the muster issued in bloodshed. Such collisions were a common enough occurrence. Parliament in 1478 had under consideration the administration of justice throughout the kingdom; and it was then resolved that immediate steps should be taken to remedy the great breaches which existed in various parts of the kingdom; and especially in Angus, between the Earl of Buchan and the Earl of Erroll and their parties; and in like manner between the Master of Crawford and the Lord of Glammis and their parties; and in Nithsdale and Annandale between Lord Caerlaverok and the Laird of Drumlanrig; and the great struggle raging in Caithness, Ross, and Sutherland, and in other quarters of the kingdom.<sup>10</sup>

The right which earls possessed of granting charters to their vassals within the territories of the earldoms, gave them an enormous power over the people; and as mentioned in a preceding page, Robert I. rather extended the feudal rights and powers of the nobles than limited them in any way. But James I. clearly saw and realised that

<sup>10</sup> *Accounts of the Lord High Treasurer of Scotland*, Vol. I.; *Acts Parl. Scot.*, Vol. II., pp. 16, 122; *Miscellany of the Old Spalding Club*, Vols. II., IV.

Norman Feudalism contained in itself the essence of anarchy, and that no effective government could be established while the nobles had such feudal rights, and local power over the people. He therefore immediately proceeded to act, and attempted to reduce the rights and the power of the nobles; but these were too deeply rooted to be summarily extinguished, and in spite of his exceptional abilities, his great energy, and his utmost efforts, he soon fell a victim to their revenge. The attempts of James II., James III., James IV. and James V., to restrain the lawless anarchy and the oppression of the feudal nobles all proved equally unavailing; and their power and turbulence continued to rage unabated till past the Reformation period.

In the later part of the fourteenth century and the first quarter of the fifteenth, the social state of the nation was deplorable, the great nobles oppressing the poor people, and murders, robberies, and other heinous crimes were committed with impunity. On the most frivolous pretences, tenants were evicted from their holdings, and the labourers from their cottages. Parliament tried to check this, and in 1401 it was enacted that such resumptions of holdings by the overlord should be null, unless lawful cause was shown; and it was provided that evicted tenants should not lose their right to their lands till after the lapse of a year, if they repledged them within forty days. It appears that the overlords often expelled their vassals by force, and in this way the nobles were enabled to accommodate their own sworn adherents, and to crush all those within their territories who may have declined to join in their projects, quarrels, and lawless proceedings. Thirty years later, James I. simply requested the barons and bishops not to remove the husbandmen and labourers suddenly from their lands if they had leases. In 1449 parliament passed an act which aimed at giving more security to the tenants, but it was not carried into effect. Parliament in 1457 passed a statute which allowed lands to be let on feu-tenure, free from military service; and the Act enjoined that the King should show an example to the nobles, the bishops, and freeholders, by feuing the Crown lands. In 1491 it was enacted that when land changed owners, the tenants, labourers, and the inhabitants should not be removed before the ensuing Whitsunday. At the terms of Martinmas and Whitsunday there were always much poinding of the goods and effects of the tenants for their rents, and a great commotion of "outcasting and incasting among the tenantry all over the country."

Even the small class of landed proprietors within the earldoms and great free baronies of the kingdom were bound hand and foot to the policy and service of their overlords. The baron always had the power to expel and disinherit a refractory vassal, on the ground that he had failed to render the proper feudal services to his lord. The overlord might also raise a plea that his vassal was not the lawful heir, and on that ground turn him out of his home and land. Much injustice was inflicted upon the tenants and the inhabitants of the kingdom by the action of the creditors of the nobles. When these exalted personages fell into debt then their creditors sued for briefs of distress, obtained judgments against them, and immediately seized the property of the lord's tenants. By such processes the tenants were often totally ruined. In 1469 parliament passed a measure which attempted to remedy this injustice, and it was then declared that the poor tenants should not be held liable for more than the amount of their rent due to the lord. If the debt exceeded the rents, then the creditor could have recourse to the other goods of the debtor, and if he had no other property but his land, the land itself might be sold to pay his debt. But the debtor retained the right to reclaim his land from the purchaser at any time within seven years, if he paid the same price as it had been sold for. This Act had little or no effect in the fifteenth century, although subsequently when the power of the nobles began to wane it came into operation. Such were the relations between the feudal aristocracy and the occupiers and tillers of the land, as presented in the national records.<sup>11</sup>

The occupiers of the land and the people generally were severely oppressed by the nobles and their retainers travelling through the country; as the nobles, accompanied by a train of retainers, were in the habit of living at free quarters on the husbandmen and the inferior clergy, and thus consumed and often destroyed the crops and grass, and any store of grain which these people possessed. Acts of Parliament were repeatedly passed, with the object of checking and limiting this form of oppression, but they failed to remedy the evil. Indeed, so inveterate was the custom among the nobles of living on the produce of the people as they passed through the country with their hosts of followers, that in 1499 parliament found it necessary to enact and command, "that all the officials and officers holding

<sup>11</sup> *Acts Parl. Scot.*, Vol. I., pp. 208-214, 217; Vol. II., pp. 17, 35, 225, 49, 96, 213, 248-255, 286, 288, 367-369; *Register Epis. Mor.*, p. 382.



courts throughout the kingdom, should ride with a small company only, in order that the people might not be so grievously oppressed." At the same time the coroners were ordered to cease from taking the twopence of unlawful fee from those who had immediately paid their bail. The oppression of the people by the nobles, the Crown officers, and the entire organisation of Norman feudalism, resulted in the infliction of enormous suffering upon the people of Scotland. Contemporary literature as well as the national records presents evidence of the oppressive character of feudalism and the Scotch nobles. Bower, who wrote in the reign of James II., presents a frightful picture of the state of the nation, from which I quote the following:—"Confounded as we are with daily tyranny, oppressed with rapine, spoil, and tribulation. . . . The groans of the humble, and the miseries of the poor, whom I myself who write this, have seen this very day in my own neighbourhood—stripped of their garments, and inhumanely despoiled of their domestic utensils, constrains one to exclaim with him who says, 'I have seen the injuries which are done, the tears of the innocent, the helpless and the destitute, who cannot resist violence, and have none to comfort them.' I have praised the dead more than the living, and happier than both have I esteemed the unborn, the sole strangers to the evils of this world."<sup>12</sup>

Robert Henryson, the poet, who wrote in the latter part of the fifteenth century, frequently alludes to the state of society. His writings indicate very clearly that the husbandmen and tenants were grievously oppressed by their lords.<sup>13</sup>

Under the conditions indicated in the preceding page, agriculture could not have been in a satisfactory state. In the fourteenth century a large part of the best land of the country had been so much exposed to the ravages of war, that some portions of the cultivated lands returned to its natural state. After the return of James I., parliament passed various acts relating to husbandry. In 1425 it was ordered that every man who reasonably was a labourer, should either become the half owner of an ox in the plough, or dig a plot of land seven feet square every day. The following year, it was enjoined that every farmer in the kingdom who possessed a plough of eight oxen, should every year sow a firlot of wheat, half a firlot of pease, and forty beans, under a penalty of ten shillings. And in his reign,

<sup>12</sup> *Acts Parl. Scot.*, Vol. I., II. ; *Scotichronicon*, Vol. II., p. 473.

<sup>13</sup> Henryson's *Poems*, pp. 37, 152, 201, 214, 215.

Acts were passed for the protection of growing crops, the destruction of wolves, and rooks. In 1457 all the freeholders of the kingdom were ordered to make a provision in their leases that their tenants should plant wood, make hedges, and sow broom in the most suitable places; and that no one should make enclosures of dry sticks or dressed wood, but only of living plants, that wood might grow and become plentiful in the country.<sup>14</sup>

The Crown lands were extensive in the fifteenth century. In the reign of James II., the Crown had lands in the neighbourhood of Edinburgh, including Ballincreiff and Gosford. In the vicinity of Linlithgow, the royal possessions around the palace were called the King's acres, and certain lands in the barony of Houston; and the rents of which amounted in 1457 to £140 17s. 8d., with one chalders of barley, one of oats, two dozen of hens, and two dozen of young cocks. The rents of the Crown lands lying around the castle of Stirling, and in Stirlingshire in 1455, amounted to £184 19s., with two dozen of salmon. The Earldom of Fife fell to the Crown in 1425 on the forfeiture of the Duke of Albany; and in 1457 the gross money rent was £560 12s. 7d., thirty-five chalders and three bolls of wheat, sixty-two chalders and three bolls of barley, forty-six chalders and three bolls of oats, and two bolls of oatmeal. In the year 1451, four hundred and seventy-one young cocks, and one hundred and four geese, formed a part of the rental of this earldom. The Earldom of Monteith also fell to the Crown on the execution and forfeiture of the Albany family in the reign of James I., and the King retained the greater part of the lands of the earldom in his own hands. For the year 1451 the money rental of the earldom amounted to £351 12s. 8d., and thirty-four chalders of oats, twenty-four chalders and seven bolls of oatmeal, two chalders and two bolls of barley, thirty-four sheep, sixty poultry, and one hundred and forty salmon. The Earldom of Strathern was in the Crown, and in the latter years of the reign of James II., its gross money rental annually ran from £316 to £461. The Earldom of Athole was forfeited to the Crown by the treason of Walter Stuart in 1437, and its money rental for the year 1450 amounted to £139 13s. 4d. James II. granted this earldom to Sir John Stewart of Balveny in 1457. A large portion of Perthshire was in the possession of James II., including the lands of Methven, which extended to the south and west of the town of Perth; the

<sup>14</sup> *Acts Parl. Scot.*, Vol. II., pp. 6-16, 51.

barony of Strathbraan, which commenced at Dunkeld, and included Logiealmond, and extended by Crief to Innerpeffry; and at Loch Fruchy, in the upper reach of the strath, the King had a hunting lodge. In 1455 the gross money rental of Methven was £120 8s. 4d., three chalders and eight bolls of meal, and nine dozen of poultry, while the money rental of Strathbraan was £46. The Crown had many other lands in Perthshire, the lordship of Strathurd, Glenlyon, Fothergill and others. In Forfarshire, the lordship of Brechin, and other lands; and farther north, Aberluthnot, Fettercairn, and Kincardine, were in the possession of the Crown. It was stated in a preceding chapter that James I. annexed the Earldom of Mar to the Crown, which then comprised nearly a half of the county of Aberdeen, and the family of Erskine claimed it; but it seems to have been a disputed possession between the Crown and Lord Erskine; and in 1459 James II. granted the Earldom of Mar to his own youngest son, John, then an infant. He died in the castle of Craigmillar, and the third son of James III., John, was created Earl of Mar in 1486. The gross money rental of the Earldom of Mar for the year 1459 was £396 10s., with thirty head of cattle, for each of which 5s. was allowed, and two chalders and four bolls of "custom oats," for each boll of which 4d. was allowed. After the Douglas forfeitures, the rents of the thanage of Kintore fell to the Crown; and amongst the other Crown lands between the Dee and the Spey were a portion of Badenoch, which fell to the Crown on the death of Alexander, Earl of Buchan, in 1349, and the money rental of which for the year 1455 was £20. But the forfeiture of the Douglas tribe brought to the Crown the lands of Balveny, Boharm, and Botriphnie, which had belonged to John Douglas, and the annual money rental of these lands as given in the records vary from £25 to £73, with seventeen cattle and the same number of sheep. In the same locality, Kininmont, Buchromb, and the half of Clunymore, had fallen to the Crown through the illegitimacy of David Garden, proved by a jury at Aberdeen in the reign of James I. These lands were conferred in liferent on Sir William Forbes of Kinaldy, and subsequently occupied by the Earl of Huntly.

The Crown lands beyond the Spey were chiefly in the Earldom of Moray. Farther northward, in the region between the Moray and Cromarty Firths, called the Black Isle, also including Dunscaithe on the north side of the Ferry of Cromarty, is usually referred to in the records as Ardmannock, and sometimes Avach and Eddirdule. This

district belonged to the historic Sir Andrew Moray of Bothwell ; but in 1362, Archibald, Lord of Galloway, afterwards third Earl of Douglas, married Joan Moray, widow of Thomas Moray, and through her the lands of Avach and Bothwell passed to the Douglas family. Hugh Douglas derived his title of Earl from the castle of Avach, on the moot hill of Ormond near Castletown Point, on the Bay of Munlochy. The gross rental of the lands of Ardmannoch for the year 1460 was £172 15s. 8d., with ten chalders and nine bolls of barley, and ten chalders and nine bolls of oatmeal, twelve cattle and twelve sheep.

One third of Duffus was another portion of the lands forfeited by Douglas Earl of Ormond, and its rental in 1458 was £24, with eight chalders of barley, one chalder and ten bolls of malt, one chalder and ten bolls of oatmeal, three cattle and three sheep. Strathdearn or the valley of the Findhorn, and Petty and Brachly lying along the shores of the Beauly Firth, were forfeited to the Crown by John Douglas of Balveny. The money rent of Strathdearn in 1460 was £53 6s. 8d. The rental of Petty and Brachly was £80 6s. 8d., with ten cattle and ten sheep. In 1456 these lands were in the occupation of the M'Intoshes. The Crown held the lands of Bonach and Banachare, lying to the westward of Inverness and beyond the river Ness ; and the barony and castle of Urquhart with Glenmoriston lying on the west side of Loch Ness ; but in 1455, this barony, castle, and Glenmoriston, were conferred in liferent on John Earl of Ross and Lord of the Isles.

The Earldom of March was in the possession of the Crown from 1434 till 1455, when James II. conferred it on his infant son, Alexander, afterwards Duke of Albany. The gross rents of the lands of the earldom were sometimes returned as over £570. The lordship of Stewartown, in Ayrshire, fell to the Crown at the time of the Douglas forfeitures. In 1457 the rental of this lordship was £127 13s. 4d., and two chalders and eight bolls of meal. The islands of Bute and Arran were in the hands of the Crown. In the reign of James II. both these islands were in the occupation of kindly tenants or rentallers. The money rental of Bute was £141 18s. 6d., which included £40 from the burgh of Rothesay, and in addition to this one boll of barley was paid for every mark of money rent. Each tenant had also to give one mart for every five marks of rent due by him, and these marts were valued at 5s. In the reign of James IV. these



tenants were converted into feuars, and they and their descendants came subsequently to be popularly known as "the barons of Bute."

The annual money rent of Arran was £56 18s. 8d., with barley and cattle as in Bute. The slate quarries of Bute were worked, and in 1445 11s. 10d. was paid for 13,000 slates, which were sent to Dumbarton to repair the King's castle. A passenger boat then plied between Bute and Cowal, and the ferryman for some time received a boll of barley yearly from the Crown. It appears that Arran was in a more unsettled state than Bute, and in the former the King's rents were not regularly paid. The shores of Arran supplied the King's household with the fish, called in the records "mullones," large quantities of which were bought at two shillings a dozen.<sup>15</sup>

In the preceding paragraphs the principal, though not the whole, of the Crown lands have been indicated. It appears that in the fifteenth century a considerable portion of land rent was still paid in produce. In the reign of James IV. the Crown lands were fully as extensive as in the reign of James II.

The Crown lands were mostly in the hands of farmers, who held varying portions of land for payment in money and produce, under leases which were renewed from time to time; and kindly tenants or rentallers, who enjoyed a certain fixity of tenure, which, however, depended on the current of national events, emergencies, and circumstance; in other words, the success of the King's government or the reverse. But, on the whole, it may be fairly assumed that the farmers and the kindly tenants on the Crown lands were in a more favourable position than the same classes on the lands of the nobles. The kings retained small portions of Crown lands in their own hands, which were cultivated by their own agricultural labourers.

The tenants on the church lands probably held their lands under somewhat easier terms than tenants on the estates of the nobles. All the bishoprics and the great monasteries possessed extensive lands; for instance, the see of Moray had eight baronies, namely, Spynie, Keith, Rafford, Birnie, Kynneder, Strathspey, Fothirface, and Kil-miles.

Touching the condition of the actual labourers and tillers of the soil, it was stated in a preceding chapter that this work was chiefly done by bondmen and serfs. And further, it was historically maintained that these servile classes were mainly created in Scotland by

<sup>15</sup> *Exchequer Rolls of Scot.*, Vol. V., Vol. VI. 1883.

Norman feudalism in the twelfth and thirteenth centuries. It was shown that serfs were actually bought and sold, and that they could be reclaimed by their owners like strayed cattle or sheep. The bondmen and serfs were numerous in the thirteenth century, but they became less numerous in the fourteenth, and disappeared before the end of the fifteenth century. What were the causes of their disappearance? No Act of Parliament nor canon of the Church ever proclaimed their emancipation; on the contrary, parliament and the civil law supported the institution of serfdom by written enactments and the decisions of the courts; while the Church appears to have possessed a large number of serfs, and was exceedingly careful in tracing and keeping records of their descent. Indeed, the last case of claiming serfs which occurred in Scotland, so far as known, was in 1364, when the Bishop of Moray, before the Sheriff of Banffshire and a jury, obtained a verdict finding that two men were his natives and property.<sup>16</sup> Thus it is obvious that the extinction of serfdom was not effected by the Church or Parliament.

The only series of events and social phenomena which contributed to the emancipation of the serfs were those connected with the War of Independence. When Edward I. conceived his scheme to conquer Scotland, he thought that when he obtained the homage and submission of the Scotch nobles, knights, landowners, clergy, and the magistrates and heads of the burgh communities, then his object would be easily accomplished. The mighty Lord Paramount would have disdained to look at a labourer, a bondman, or serf, or accept homage from them, and yet they were men perhaps as good, if not better, than himself. Edward, however, ran his course on his own lines, while the labourers, bondmen, and serfs ran theirs with more success than he ever achieved in Scotland. When William Wallace and Sir Andrew Moray crossed the Tay for the purpose of recruiting and organising an army in the region lying between the river Ness and the Tay, where the army which fought and won the battle of Stirling Bridge was solely raised, it may be fairly assumed that whenever a suitable man presented himself to the patriots, they never asked him whether he were a serf or not. Then, after the war had continued for some time, and nobles and churchmen who had renounced their allegiance to Edward I. were seized and imprisoned, and their lands often given to Englishmen, the bondmen

<sup>16</sup> *Register Episc. Mor.*, p. 161.

and serfs would have had many opportunities of escaping and going wherever they thought fit. As the struggle proceeded, lands all over the country fell into the hands of new owners, which again in a short time were seized and the ownership changed. This process continued, with short intervals, for half a century, and by that time the institution of serfdom was broken up, and beyond restitution. Thus the emancipation of the bondmen and the serfs was an effect of the War of Independence—an effect rendered more effectual by many of the class in question taking an active part in the struggle themselves. Subsequently we learn from the Acts of Parliament in the reign of James I., and succeeding reigns that some of the serfs became labourers and tilled pieces of land, as indicated in the Act of 1425, which was referred to in a preceding page, while others found employment in the towns at various kinds of work, and ultimately the servile class became merged in the society of the nation and disappeared as a separate class.

Although the burgh communities suffered severely from the War of Independence, they recovered from its desolating effects wonderfully well. Having regard to locality, external and surrounding circumstances, the towns of Scotland may be historically treated in three groups, namely, the Border burghs, those in the northern quarter, and those in the centre of the kingdom.

The Border burghs comprised Berwick, Roxburgh, Jedburgh, Dumfries, Dunbar, Kelso, Peebles, and a few others. These towns were exposed to the first brunt of war throughout the long struggle between England and Scotland, and to the harassing and desolating effects of the constantly recurring raids on the marches. This tended to engender many strongly marked features of character and habits amongst the people of the Borders, which were manifested in acts of daring, tragic deeds, and many touching and romantic incidents.

Berwick was a place of habitation in far-gone ages, and a centre of industry long before the period of record. In the twelfth and thirteenth centuries it was the chief mart of traffic in Scotland; but the town was desolated and its citizens massacred by Edward I. The town never recovered its former trading pre-eminence. In 1327 the customs of Berwick amounted to £673, and in 1331 it was £549. Two years after Berwick fell into the hands of the English, and although it was retaken several times by the Scots, it was not permanently retained by Scotland.<sup>17</sup>

<sup>17</sup> *Exchequer Rolls of Scot.*, Vol. I.

Roxburgh was an early site of habitation, and it had some trade and wealth from an early period; but in the period under review the importance of the town mainly arose from its strong castle, which was a good defensive position. Still the burgh had its craftsmen, mills, markets, and fishings; and in 1327 its rent to the Crown was £20. It was the scene of many contests between the English and the Scots. In the fourteenth century the town was much injured by the war. It was repeatedly taken by the English, and retaken by the Scots, but in the reign of David II. the castle fell into the hands of the English, and they occupied it till 1460, when it was captured by the Scots, who then razed the castle to the ground; and the town itself has long since disappeared.

The town of Dunbar lies on the south-east border of Scotland, and throughout this period its strong castle rendered the town an important position, and in fact it was the key to that quarter of the kingdom. In 1338 the castle of Dunbar stood a memorable siege, when Black Agnes, the Countess of March, a daughter of Randolph Earl of Moray, heroically defended it for five months against the English army, and ultimately forced the enemy to raise the siege. In the latter half of the fourteenth century Dunbar had a considerable trade, chiefly in wool, the customs on which in 1378 amounted to £139; but in the succeeding century its trade seems to have fallen off.

Jedburgh rose into importance from its castle and its monastery. Subsequently it was occasionally the mustering place of the Scottish army; and the justiciary's courts for that quarter of the kingdom were often held there. In 1320 Robert I. granted to Sir James Douglas the market, town, castle, forest, and mains, of Jedburgh, and in the following year this was confirmed, along with other grants, to Douglas. Jedburgh and its castle fell into the hands of the English early in the reign of David II., and they held it for upwards of half a century, being only finally expelled from it in 1409. The following year the English burned the town. In 1416 and 1466 it was also destroyed by fire.

The men of Jedburgh and the forest in its vicinity were well inured to war and brave in battle. They were engaged in most of the raids across the Border; their special weapon was the Jedburgh staff, manufactured in the town, which was four feet long, with a steel head. Their war-cry was "Jeddards here," and their onset was not easily withstood. The town has passed through many viscissi-



tudes, and is associated with many interesting historic events and incidents.

The burgh of Dumfries has many historic associations which cannot be detailed in this work. The burgh had a royal castle in the thirteenth century. In 1288 the Crown rents of the burgh amounted to £20, and in 1330 these crown rents were £30, but at the later date the customs of the burgh were only £4; being an inland town it had not much trade. At the end of the fifteenth century the burgh paid to the Crown a sum of about £20 annually by feu-charter in lieu of rents. In the fifteenth century the Maxwells became the leading family in the Dumfries district, and attained a commanding influence in the affairs of the burgh, as will subsequently appear.

The town of Kelso attained some note owing to its rich monastery. William of Dalgarnock, Abbot of Kelso, accompanied the young prince, David II., to France as his preceptor.

Peebles was created a royal burgh in the reign of David I.; and it became a favourite residence of the Kings. Charters of David I., Malcolm IV., William the Lion, Alexander II., and Edward I., were dated at Peebles. In the fourteenth century the town and castle became a kind of border garrison, as an outpost of Edinburgh. The Crown rents of Peebles for the year 1327 were £23 6s. 8d., and in 1343 these rents were £12 13s. 4d. In 1460 the burgh of Peebles gave a contribution of £38 17s. 8d. toward the payment of the King's ransom. David II. granted to John Gray, Clerk of the Rolls, all the rents and issues of the burgh for life, except the issues of the Chamberlain's court. In 1398 the Crown rents of Peebles were let by lease of Sir William Stewart of Jedburgh to the bailies for an annual sum of £2 13s. 4d., and £6 13s. 4d. for the burgh mills, making a total sum of £9 6s. 8d. The burgh fell into arrears, and in 1457 the Crown rent stood—arrears £8, by feu-charter £9 6s. 8d., sum due £17 6s. 8d. But Peebles paid up the arrears, and subsequently continued to pay the annual sum stated above to the end of the century. In 1501, however, the bailies of the burgh were fined £18 for failing to appear before the Exchequer.<sup>18</sup>

The town of Peebles was repeatedly burned by the English in the fourteenth century, and the citizens were often subjected to all the horrors of war. Peebles had seven yearly markets, some of which

<sup>18</sup> *Exchequer Rolls of Scot.*, Vols. I., II., III., IV., V., VI., VII., X., XI.

extended over several days, and the records of the burgh contain many regulations touching the markets.<sup>19</sup>

The conditions and circumstances under which the people on the Borders lived tended to encourage and to prolong the continuance of the predatory spirit and habits; and the disorder on the Borders gave the Government much work and trouble; still, these people were not naturally more lawless than the inhabitants of any other quarter of the country. The state in which they lived was a result of historic conditions, for the creation of which they were responsible only in a very limited measure. The Norman nobles planted upon the borders of Scotland in the twelfth and thirteenth centuries had nearly all disappeared long before the end of the fifteenth century, but the effects of the feudalism, which was introduced along with them, remained.

Turning to the northern burghs, including Inverness, Dingwall, Forres, Elgin, Cullen, Banff, and others. During the period under review Inverness was a burgh of comparative wealth and trade. The customs of Inverness in 1366 were £81 5s., and those of Elgin £67 11s. 7d. In 1373 the customs of Inverness were £145 13s. 11d., and the same year the Crown rents and the petty customs amounted to £40; in 1380 the customs of the burgh were £248 19s., and the Crown rents and petty customs, by lease of the Chamberlain, £53 6s. 8d. The same year the Crown rents and petty customs of Banff were £33 6s. 8d. The trade of these northern burghs, by sea at least, does not seem to have increased much during the fifteenth century, as the customs of Inverness in 1455 were returned at £62 8s. In 1499 the customs of Inverness, Forres, and Elgin, were returned together, and consisted of a charge of £131 of custom on 55 lasts of salted salmon exported, and a quantity of hides charged £7 19s. 2d. The same year the Crown rents of the burgh of Inverness, by feu-charter, were £57 6s. 8d. and one pound of pepper.

Cullen was a royal burgh in the reign of William the Lion. In the reign of Alexander III. there was a royal residence at Cullen, and in 1266 the hall and the brewing utensils of the town were repaired. Robert Bruce's queen, Elizabeth, died at Cullen in November, 1327, and her body was embalmed there, and she was buried at Dunfermline. Robert I. founded a chaplainry at Cullen "to pray for the soul of his spouse, Queen of Scots, who died in our said burgh of

<sup>19</sup> *Burgh Records of Peebles*, pp. 67, 85, 209-211.

Cullen;" and £4 was paid yearly out of the burgh rents to the chaplain celebrating mass for her soul. The regular accounts of Cullen drop out of the burgh rolls after the year 1343; but they were resumed in 1496. In that and succeeding years the rents of various lands held by the burgh from the Crown were accounted for, and the annuity to the chaplain still appears in the accounts.<sup>20</sup>

Alexander II. in 1227 granted a charter to Dingwall, which conferred on the citizens the same liberties as the burgesses of Inverness, and authorised a weekly market to be held on Monday. In 1265 Alexander Comyn, Earl of Buchan and Justiciary of Scotland, was bailie of Dingwall. Robert I. granted the burgh of Dingwall to the Earl of Ross, and the town remained in the hands of the Earls of Ross for upwards of a century. In 1475 parliament ordered the Sheriff of Inverness to summon John, Earl of Ross and Lord of the Isles, either at the castle of Dingwall or the cross of Inverness, to appear at Edinburgh and answer for his crimes, and accordingly he was summoned at the gate of the castle of Dingwall. The proceedings which followed on this were stated in a preceding chapter. In 1498 James IV. renewed and confirmed the rights and privileges of Dingwall, which had completely fallen into desuetude.<sup>21</sup>

In 1266 the town of Cromarty paid to the Crown £7 of rent for lands; but Robert I. granted the town of Cromarty to the Earl of Ross. In fact the whole of the northern burghs were much under the control of the local nobles during the fourteenth and fifteenth centuries. Elgin, Tain, and other towns associated with the Church, were often under a kind of vassalage to the local nobles. The city of Elgin, with her grand cathedral and upwards of a hundred churchmen, was sometimes forced to place herself under the protection of the Earls of Moray and other nobles.<sup>22</sup> In 1472 the citizens of the burgh of Nairn entered into a bond of manrent with Lord Fraser of Lovat, and his heirs and successors.

Adverting now to the more settled quarters of the kingdom, or the region extending from the river Deveron to the border counties in the south, which may be called the heart of the nation. In 1327 the Crown rents paid by the chief burghs to the Chamberlain were as follows:—Aberdeen £213 6s. 8d., Perth £160, Stirling £36, Edinburgh £34, Ayr £30, Rutherglen £30, Haddington £29, Dumbarton

<sup>20</sup> *Exchequer Rolls of Scot.*

<sup>21</sup> *Ibid.*, Vol. I.; *Orig. Paroch. Scot.*, Vol. II., p. 494; *Burgh Charters.*

<sup>22</sup> *Old Stat. Acc. Scot.*, Vol. V.

£22, Forfar £18, Inverkeithing £15, Montrose £13, Lanark £12, and Linlithgow £10. As indicated in a preceding chapter, the burghs eventually obtained feu-charters, under which they paid a fixed yearly rent to the Crown, and thus they at length acquired a perpetual right to collect and apply to their own use the rents, small customs, and dues formerly levied by the Crown. Aberdeen had obtained such a feu-charter in 1319 for the yearly rent stated above, but none of the other burghs had obtained such a charter in 1327, although Edinburgh obtained one in 1329 for a yearly rent of £34 13s. 2d. In July 1386, Robert II. granted a feu-charter to Stirling for an annual payment fixed at £16, and Dundee obtained one in 1365 for a fixed annual payment of £20.

In the reign of Robert I., what was termed the great custom consisted of the charges levied on the exports of wools, wool-fells, and hides. A last of wool consisted of ten sacks, and the sack of twenty-four stones; the last of hides contained twenty daces, and the dacre ten hides. The charges on the exports of these goods were the chief source of the Crown customs during this period. In 1327 the customs of the following burghs stood thus:—Edinburgh £439, Aberdeen £349, Dundee £240, Perth £108, Linlithgow £14, Cupar-Fife £13, Inverkeithing £8, Ayr £3, and Stirling £2. These are small sums, but it has to be observed that lords of regality and church burghs had the right to export wool and hides at their own ports custom free; so the sums collected by the Crown officials only represent a part of the customs of the kingdom.

Before the year 1357 the usual rate of customs on exports had been half a mark on the sack of wool, three shillings and fourpence on the hundred woolfells, and one mark on the last of hides. In order to raise money to pay the instalments of David II.'s ransom, the customs on the above goods were doubled, and in 1359 tripled. The customs of the chief burghs for the year 1360 stood thus:—Edinburgh £1300, Linlithgow £356, Aberdeen £669, Dundee £485, Perth £437, Haddington £261, Montrose £226, St. Andrews £249, Inverkeithing £72, and Stirling £37. Taking for comparison the customs of the chief burghs for the year 1379, the following results appear:—Edinburgh £2285, Aberdeen £1449, Dundee £918, Haddington £617, Linlithgow £825, Perth £517, North-Berwick £269, Montrose £235, St. Andrews £143, Stirling £49, and Inverkeithing £34. At this time the produce of the custom of wool was nearly thirteen times more than that of hides.



From the customs for the year 1379, it has been calculated that the number of sheep then in the country exceeded a million and a half; while the same year, the number of hides of cattle exported amounted to 44,559; but we have no data for estimating what proportion this number of hides bore to the whole stock of cattle in the country. Comparing the customs of 1327 and 1379, in the former year the fleeces of 1,450,485 sheep, and 8861 hides were exported; this, however, included the exports of a considerable district in the south which was under English rule in 1379; and making allowance for this, it appears that the numbers of cattle and of sheep had increased considerably during the period between 1327 and 1379. This increase of the staple wealth of the nation is very striking, considering the unsettled state of the country, and speaks volumes for the energy and industry of the people under the most unfavourable conditions.<sup>23</sup>

The customs from 1379 to the end of the century rather fell off a little than increased, but in the first twenty years of the fifteenth century the customs fell very low. This demands some explanation. After the death of Robert III., under the regency of Albany, it was an every day occurrence for earls and barons to ship the produce of their lands custom free, in open defiance of the collectors of customs, and also to abet the merchants who were under their protection in doing the same thing. Further, the nobles when they thought fit actually robbed and plundered the collectors, and even imprisoned them till they delivered up whatever balance they had in hand. And sometime the Earl of Douglas, his brother James Douglas, Lord of Balveny, Walter of Haliburton, Sir William Crawford of Haining, the son and heir of Sir William of Borthwick, and James Dundas of Dundas, took possession of the tron and granted a cocket for the shipment of the wool or hides themselves, and then received the customs from the merchants, and thus prevented it from coming into the hands of the collectors of customs at all. In the first audit after the death of Robert III., the collectors of Edinburgh deponed to £23 5s. 2½d. having been taken by violence from them by James Douglas, brother of the Earl of Douglas. At the succeeding audit in March 1408, the sum in question was carried over as arrears; and it was explained that Douglas claimed the sum for his expenses in setting fire to Berwick, and at the close of the account it was enumer-

<sup>23</sup> *Exchequer Rolls of Scot.*, Vols. I. and II.

ated with other sums amounting to about £100, which had been forcibly taken on various pretexts. In the spring of 1409, Sir William Crawford and other persons had shipped twenty-three sacks of wool duty free in defiance of the custom collectors of Edinburgh. The Exchequer audit was held in May, and the same collectors claimed to be credited with various sums taken by Crawford and the Earl of Douglas—in all £708 2s. 1d.—as having been extorted by violence, and by the imprisonment of one of the collectors in Edinburgh Castle at the instance of Crawford. The auditors referred this matter to the Regent, and the result of the reference appeared in the next Edinburgh account, which was the exoneration of the collectors, and a promise by the Regent to admonish the Earl of Douglas against similar doings in future.

During part of the years 1411 and 1412 the Earl of Douglas was in Flanders. The account of 1412, however, showed a new score amounting to £43 11s., which had arisen from Borthwick and James Douglas, whose wool had been arrested for payment of duty, but they had broken the arrest and shipped their goods in defiance of the collectors of customs. The Earl of Douglas returned to Scotland before 1413, and no doubt he had received the Regent's admonition; still at the audit of 1413 the Earl of Douglas refused to pay the custom on his wool, estimated at £69, and also carried off the whole balance in the hands of the collectors of Edinburgh, amounting to £634 10s. 11d. The following year the Earl's "ministry" seized by violence the whole of the balance of £1339 5s. 9d. In 1415 the new depredations amounted to a further sum of £1254, and Douglas then produced a list of his "ministry" who plundered the customs under his authority, and these included the Earl of Orkney, Walter of Hali-burton, William of Borthwick, James Douglas, Sir William Douglas of Drumlanrig, and the Earl's own steward, John of Livingston. It further appeared that Douglas had directly taken from the merchants a sum of £240. The habitual evasion of custom greatly increased, and in 1417 the auditors pressed the collectors to disclose who the evadors of custom were, and amongst others they named Sir William Crawford, Lord Seton, George Lauder, and Richard of Winton. It appeared that wool had been shipped at North Berwick under a cocket, which the collectors had granted under threats of violence. The collectors also said that similar evasions of custom by many other persons occurred every day. Of the balance in the collectors' hands a sum of £562 4s. 6d. was carried off by the Earl of Douglas,

Haliburton, and the Master of Douglas. In 1418 the gross customs of Edinburgh had diminished to £1098, and of this, £378 was seized by the Earl of Douglas's steward, John of Livingston; and the collectors again produced a list to the auditors of the habitual evaders of custom. The collectors of Linlithgow had a similar narrative of the evasion of custom. Year after year the collectors were robbed of the money which they had collected, and the chief criminals were James Douglas and Walter of Haliburton, two of the Earl of Douglas's accomplices. On one occasion James Douglas seized the collectors of Linlithgow and carried them to the castle of Abercorn, and imprisoned them there till they disbursed the sum demanded. Sometimes these robbers of the revenue overawed the merchants, and compelled them by threats and imprisonment to pay their custom to them instead of the lawful collectors. Such were the acts committed, and such were the rewards which the Duke of Albany, Regent of Scotland, covenanted to allow the Earl of Douglas and his associates in return for their support of his demoralising government of the kingdom.<sup>24</sup>

The great customs still continued to be levied at the same rates to which they had been raised to pay the ransom of David II. The highest yield of the customs on wool and hides in the reign of James I. was in 1428, when they reached the sum of £6912, but the average annual yield was about £5000. James I. imposed some new taxes. In 1424 he imposed a duty on the exportation of skins of the marten, polecat, otter, fox, hart, hind, roe, and doe. The duty, however, brought only a very small return to the Crown, and the most that it yielded in any year was £3 16s. 8d., and the average yield was about £1. The skin chiefly exported was that of the rabbit, though at Inverness the skins of the otter, martin, fox, and polecat appeared in the custom accounts, while deer skins only occurred in the custom returns of Elgin. At the same time a duty of 1s. in the pound was imposed on the home-made white woollen cloth, and it appears from the custom rolls that about £3000 worth of this cloth was annually exported. A duty on the export of salmon was imposed, and the ports from which salmon were mostly exported were Montrose, Aberdeen, and Banff. The average annual yield of the custom on salmon was about £115, representing £920 worth of fish. All goods imported from England were subjected to a duty of 2s. 6d. in the pound.<sup>25</sup>

<sup>24</sup> *Exchequer Rolls of Scot.*, Vol. IV., pp. 80-321, Preface, pp. 57-64, 209-212.

<sup>25</sup> *Acts Parl. Scot.*, Vol. II., pp. 6, 8, 13.

Subsequent to the reign of James I. the customs on wool and hides rather fell off than increased. In the reign of James III. the average annual yield of the customs was about £3300; and the average yield of these customs for the last five years of the fifteenth century was £3106. No doubt one cause of the falling off of the customs was that greater quantities of the native wool, and also of the hides, were being gradually consumed and used at home, as the population of the kingdom increased, and civilisation advanced.

The export duty on salmon was 2s. 6d. in the pound, and in 1478 it was ordered that salmon must be packed in barrels, under a penalty, each barrel capable of containing fourteen gallons. In 1481 the duty was raised by royal proclamation to 4s. per barrel. During the latter years of the reign of James III. the yield of the custom on salmon, at the chief ports where they were exported, stood thus:—Aberdeen, £135; Banff, £47; Perth, £29; Dundee, £14; Montrose, £7; Stirling, £6; and for the whole of the kingdom, about £310. The herring trade in some of the arms of the sea on the west coast, and in other quarters was becoming an important industry. The custom for herrings of Lochfyne was returned by the collectors of Irvine in 1479 at £10, and in 1481 at £34; from that date the custom was accounted for by the collectors of Dumbarton. In 1487 it amounted to £379.

In preceding pages of this chapter it was indicated that the Crown lands were of considerable extent and value in the later part of the reign of James II. A large portion of the revenue of the Crown was derived from the rents of these lands, which were partly paid in money and partly in produce. It has been approximately calculated that the revenue of the Crown in the reign of James III. amounted to £16,380, which is equivalent to about £5,460 sterling money. This revenue was derived from the following sources:—From the Crown lands, £10,600; from the sheriffs, £1,720; from customs, £3,300; and from burgh rents, £760. At the end of the century the Crown lands were still pretty extensive.<sup>26</sup>

It was noticed in a preceding chapter that a commercial treaty was concluded between Flanders and Scotland towards the end of the thirteenth century, and the commercial dealings between Scotland and Flanders and the Low Countries continued for many centuries. Edward I. endeavoured to persuade the Count of Flanders in 1299 to

<sup>26</sup> *Exchequer Rolls of Scot.*, Vol. VIII., IX., and XI.



cease all trading relations with Scotland, but he failed in his object. In December, 1321, the Count of Flanders gave letters of safe conduct to Stephen Fourbour, burgess of Berwick, and James Will, burgess of St. Andrews, and their companions, to come, stay, and go, as their business might require, in the countries of Zealand, Holland, and West Friesland. In 1323 Robert I. granted in return that all merchants from Holland should have free ingress and egress to every quarter of the kingdom wherever they pleased to land, and he ordered that these merchants should be honourably treated, and allowed to dispose of their merchandise according to the usages and the laws of the country. A commercial treaty was arranged between Flanders and Scotland in 1427 to continue in force for a hundred years and one day. By this treaty the Scots were allowed to export in bales the home-made white woollen cloths (already mentioned) to any part of the provinces of Flanders "without let or hindrance." It appears that quantities of this home-made cloth were sent to the low countries to be dyed and then carried back to Scotland; but during this period Scotland had commercial dealings with France, Bruges, Prussia, Lombardy, Spain and England, though her staple trade was chiefly with the Low Countries or Netherlands.<sup>27</sup>

Seasons of dearth sometimes occurred, and attempts were made to mitigate them by encouraging foreigners to import food, and by regulating the modes of selling. In 1454 it was enacted that strangers who brought grain into the kingdom should be favourably received and thankfully paid. There was a great scarcity of victuals in the country in 1478, and it appeared that foreigners from several nations used to bring victuals into Scotland, but the new duties imposed on their goods had prevented them from coming with their cargoes, and the people had been greatly injured. It was therefore enacted that all foreigners "coming with their victuals and merchandise should be honourably and favourably entertained, and have free entry with their goods, according to former use and custom; and the King to have the first and the best of their cargoes, next the lords of his council, and after that the remainder to be sold among the people." This Act was repeated in 1482 with some additions. "It was declared that any person who bought goods from strangers and pretended that they were for the King's use, and then

<sup>27</sup> *Scotichronicon*; W. T. M'Cullagh's *Industrial History of Free Nations*, Vol. I., pp. 58, 76, 105.

sold them again, should be banished from the kingdom and all their property confiscated. Any foreigners in or out of the kingdom complaining of injuries done to them, should have immediate redress, according to justice, against any man in the nation. So, through the fair and honourable treatment of all strangers who come into the country hereafter, they may be encouraged to return, for the benefit and utility of the whole community.”<sup>28</sup>

It is scarcely necessary to remark that the trading regulations of this period were sometimes based on curious notions. In 1467 Parliament enacted that none but burgesses living in burghs, or their factors and servants, should be permitted to sell or traffic in merchandise out of the kingdom, and so no person, save burgesses, could engage in foreign commerce. Even within the kingdom no craftsman was allowed to deal in merchandise himself, nor by his factor, unless he first entirely ceased to work with his own hands; and “no man should pass out of the kingdom on business, but a famous and worshipful man, having of his own half a last of goods, under a penalty of ten pounds.” The same Parliament enacted that no ship should be freighted by any of the King’s subjects at the ports of Scotland, nor from a foreign port, without a formal charter party, that the shipmaster should find a steersman and timber man, and a sufficient crew to manage the ship. If any dispute should arise between the shipmaster and the merchantmen it must be referred to the court of the burgh to which the ship was freighted. There were careful rules for the protection of the cargoes from damage. Every ship carrying more than five lasts of goods had to give one sack to the chaplain of the Scottish nation at the port to which she was bound, and every ship homeward bound was to bring one ton of materials for the church work of the town to which she was freighted. It was enjoined that no drink-money should be given to the shipmaster or his agents; and also that no shipmaster should sail his vessel during the winter.

The amount and the description of the exports of the kingdom have been indicated in the preceding pages; but the imports were various and miscellaneous, including many articles in daily use, luxuries, and ornaments. Throughout the period under review large quantities of wines were imported, and wine was very generally and freely used in the Scottish court, amongst the nobles, the burgesses,

<sup>28</sup> *Acts Parl. Scot.*, Vol. II., pp. 36, 41, 119, 144.

the monasteries, and at festivals of every description. The wines chiefly used were those of Gascony, Guienne, Burgundy, the Levant, and the Rhine regions; and claret, which was imported by Scotch and French traders from Bordeaux. The wines of Spain and Portugal were also imported from Lisbon, Bayonne, and other ports. The Scotch Parliament encouraged the importation of wine, and in 1431 it was enacted that those who exported salmon should sell it only for English money or barter it for Gascon wine. Olives, oranges, raisins, figs, and other fruit were imported in considerable quantities. The finer woollen cloths, black, brown, blue, green, scarlet, and russet; fustians, fine linen, silk stuffs, velvet, many articles of apparel and ornament, and iron, hardware, armour, and cannon, were imported.

The standard value of silver seems to have been about the same in England and Scotland prior to the fourteenth century. It appears that Robert I. made a slight diminution in the standard value of the currency, and the money of Scotland, by successive depreciation, gradually became of less and less value. Edward III. depreciated the English currency, and two hundred and seventy pennies was coined from the pound of silver instead of two hundred and forty. The Steward, as Regent of Scotland, issued a new coinage even more depreciated than the money of England, and in 1355 Edward III. proclaimed that the new money of Scotland was not of the same value as the old, and should only be received as bullion. In 1366 the Scotch Council ordered that the money to be coined in future should be similar in weight and fineness to the English standard money; but a parliament, which met in September, 1367, resolved that the standard should be reduced by ten pennies in the pound, so that the pound of silver should contain 29s. 4d.; and from this sevenpence was taken for the King's use, one penny to the "custos monete," and elevenpence to the master coiner and his workmen, leaving 27s. 9d. for the people. In other words the pound of silver was coined into 352 pennies instead of 240, which was the standard at the beginning of the century. The deterioration went on in the reign of Robert II., and the Act of 1367 was repeated in 1385.

As yet the only coins struck in Scotland were silver pennies, with their halves and quarters, and groats and half groats. There was no gold coinage before the reign of Robert II., and the gold money in circulation in the kingdom prior to this reign were coins of other nations. According to English proclamations of 1390 and 1398 Scots money was ordered to be received for only half its nominal

value. In 1393 Parliament ordered the coinage of groats, half groats, pennies, and half-pennies, equal in weight and fineness to the money of David II., and a gold coin called a lion, worth five shillings; and at the same time fixed the value of an English noble at nine shillings and sixpence, and a Flemish noble at nine shillings and fourpence. No mint records exist for the period of Albany's regency, and no coins struck by him have been discovered.<sup>29</sup>

James I. in 1424, ordered that the coinage should be amended, and money struck of the same weight and fineness as that of England. In spite of this enactment, he further debased the coinage of the kingdom. Parliament in 1436, in order to supply gold and silver for the Mint, enacted that all exporters of merchandise should import a certain amount of bullion, while the export of gold or silver, coined or uncoined, was strictly prohibited. It is possible that part of the silver coined in the reign of James I. may have been native. In his first parliament it was declared that mines of gold and silver which produced three half-pennies of silver out of the pound of lead, should belong to the King: the King seems to have had some miners in his employment.<sup>30</sup> In 1428 Scots money was reckoned at half the value of Flemish money; the English noble passed current for fifteen shillings Scots, and in Flanders the English noble was current for eight shillings. A large number of Flemish, French, and English coins were circulated in Scotland, and these foreign pieces often became a subject of legislation.

From the accession of James II., in 1437 to 1450, the amount of gold coined at the mint of Edinburgh was 48 pounds, which was struck in demys—a coin of the value of nine shillings at the time of issue. The amount of silver coined was 563 pounds, which was struck chiefly in groats, and partly in pennies and half-pennies. During the same period there was a mint at Stirling, and in 1442 and 1443 forty-eight pounds of silver were coined there.

In 1451 Parliament resolved to issue a new coinage, conforming in weight and fineness to the money of England. Eight groats were coined out of an ounce of silver, and smaller coins—half-groats, pennies, half-pennies, and farthings, of proportional weight, and each to be equal in value to the English coin of the same denomination. The current value of the new groat was fixed at 8d. A new gold

<sup>29</sup> *Acts Parl. Scot.*, Vol. I., pp. 139, 144, 190, 207.

<sup>30</sup> *Acts Parl. Scot.*, Vol. II., pp. 6, 13; *Exchequer Rolls of Scot.*, Vol. IV.



coin was struck with the figure of a lion on one side and the image of St. Andrew on the other, clothed in a side-coat reaching to his feet ; the current value of this coin was fixed at 6s. 8d. An attempt was then made to fix the value of the French and other foreign coins in circulation in Scotland. The master of the mint was held responsible for all the gold and silver struck under his authority ; and power was given to him to select the persons working under him, and to punish them when necessary. In 1452 Parliament fixed the value of the English penny at three pennies Scots, and in 1456 the groat of 1451 was ordered to pass current at 12d.<sup>31</sup>

During the first nine years of the reign of James III. twenty-one pounds weight of gold were coined, and nine hundred pounds weight of silver. Among the gold coins of his reign there were two finely executed pieces, the one called the rider and the other the unicorn ; their types were the King on horseback and the unicorn.

The copper coinage of Scotland commenced in 1466, according to the Act of Parliament "for the ease and sustentation of the people, and the giving of alms to the poor folk." This copper coinage consisted of farthing pieces, four in the penny, and they were to pass current in payment of bread and ale, and merchandise up to twelve pence in the pound. The debased pennies and placks, subsequently issued, and called "black money," consisted of copper mixed with silver. These black pennies and placks caused much discontent among the people, and in 1485 they were all recalled. At the end of the fifteenth century Scotch money was computed at somewhat less than one-third of the value of English money, one pound Scots being worth about 6s. 6d. English. There was a curious fluctuation in the value attached to Scottish coins ; sometimes seven nobles Scots were said to be equal in value to one great pound of Flanders, at other times six nobles to one great pound, and in other instances eight to one, and five to one.<sup>32</sup>

The coinage was a matter which often engaged the attention and deliberation of the Scotch legislators. From the commencement of the reign of James I. to the end of the fifteenth century, Parliament passed upwards of forty Acts relating to the coinage, the keeping of the money in the country, and the importing of bullion into the

<sup>31</sup> *Acts Parl. Scot.*, Vol. II., pp. 39, 41, 46 ; *Exchequer Rolls of Scot.*, Vol. V.

<sup>32</sup> *Acts of the Lords of Council*, pp. 5, 17, 67, 143 ; *Acts of the Lords Auditors*, p. 34.

kingdom ; the Acts ordering the keeping of the money within the realm, and the importing of bullion from other countries, were often re-enacted. The Scotch legislators of this period were completely possessed with the idea that gold, silver, and copper, actually constituted wealth. But the tendency to regard gold and silver, and even a paper currency as real wealth, is very strong in human nature, although in reality they only form one of the elements of the complex whole which constitutes wealth and power ; for the essential elements of the wealth and power of a nation consist in the energy, the intelligence, the industry, and the rectitude of the people, as these characteristics have always formed the essence of wealth, and thus created power.

Having indicated the external relations of the nation in the preceding pages, attention will now be directed to the internal and every-day life of the burgh communities. The life of the townsfolk throughout this period was marked by striking characteristics, and also their relations with the important Crown official, the Great Chamberlain of Scotland, present a subject of much historic interest. Some indications of the functions and the jurisdiction of the Chamberlain have already been presented in a general way, but it is necessary to offer fuller details. Among the early collections of laws relating to the royal burghs there are two which present the form of procedure in the Chamberlain's Court, and the matters which he took cognisance of in his circuit courts throughout the kingdom. One of these belong to the reign of Robert I. and the other to the end of the fourteenth century.

The procedure in the Chamberlain's Court was very formal, minute, and inquisitorial. The Chamberlain's precept enumerates those who had to appear at the court, including persons in and without the burghs ; then the brief to the sheriff, which gave intimation thus—"The Chamberlain to the sheriff and his deputes, greeting : We command and charge you that immediately ye attach all strangers whose names the bailies of the burgh shall present to you in writ, placing them under safe and sure pledges that they shall appear before us or our deputes one or more . . . to answer to charges against them and obey the law." The manner of holding the court was thus—"all the burgesses of the burgh ought to appear before the Chamberlain—non-residents as well as residents—which ought to be called by their names, and those that are found absent should be fined by doom, nevertheless the suits should be called and the

court affirmed. Then the bailies and the officer of court should be called. Then the bailies should be asked if they have any commission or not, and by what laws they claim the King's burgh to be governed ; and after that should be called all the actions and complaints, and thereupon a good assize of the best and worthiest citizens should be formed. Then should be asked the rental of the burgh, by which they gather the King's rents, as well of built and cultivated lands as of waste. Then should be asked in writing the names of all the burgesses of guild, both those resident in the burgh and non-resident, and the names of the other burgesses by themselves. Then the roll of the suits of court should be asked. Then ought to be asked the names of the bailies and the officers of the burgh, every one by himself in writ."

After these formal proceedings the real business of the court was commenced. The bailies were first challenged touching the discharge of their public duties, and subjected to a searching scrutiny. It was inquired if they had always been ready to do right and reason when they were required, according to the form of their oath. If they had treated the poor and the rich with equal justice, or if they had forbore to execute the law rightly through favour, hatred, love of persons, or taking gifts. Whether they had caused the assize of bread, ale, wine, and flesh to be held, as it ought to be; and every week caused the bread and ale, the wine and flesh, and other things, in the burgh to be examined. Whether they have executed the commands of the King and the Chamberlain. If they have sold or granted the freedom of the burgh to strangers' servants, that they may sell with the burgesses, and use and enjoy the same profit. Whether they have caused the burgh to be properly watched throughout the night, or compelled the poor to watch and not the rich. "Also if there be a just assedation and uptaking of the common good of the burgh, and if a faithful account of the same be made to the community of the burgh : and if it be not so, by whom, and in whose hands the produce has come ; and if the common good is bestowed in the business of the community."

The sergeants and officers of the burgh and their duties were then taken up, and a number of inquiries were dealt with ; such as that they do not present truly all the pledges in their hands ; that they do not cause the rich to take the night watches the same as the poor. That in collecting the necessary charges for the King's Justiciary or Chamberlain they do not always act justly, but spare some of their

friends, and from others of the community charge too much ; and whether with regard to such charges, they have accounted for all the money which they had collected. Whether they have inspected all kinds of bread and ale as they ought to have done, or for their own profit spared some, through which the assize may not have been well kept.

Queries addressed to the public ale-tasters followed, for there were then officials of this character in every royal burgh of the kingdom. It was asked if they had been always ready to taste ale whenever the signal was put out, or if they remained in the house filling their bellies drinking instead of standing in the middle of the street in front of the ale-house, to send one of their fellows with the beadle into the ale-house to choose which pot should be tasted, and then present it to his fellows, and according to assize they should discern upon it. Whether they always presented the defaulters before the bailies at the next court, or if they held a regular assize on the ale, or only simply said it is good or it is bad. A somewhat similar set of questions was put to the public pricers of flesh, as in all the royal burghs the authorities fixed the price of all kinds of meat. The pricers of flesh were then asked, "if fleshers bought any other than sound beasts." Whether they had been always ready to act when the signal to price flesh was put out, "as well for the profit of the flesher as for the profit of the people." If they had attended the King's markets every market day and observed the buying of oxen, sheep, and swine, to be eaten ; and after observing the selling and buying in the market by their discretion, then the price of flesh should be fixed by an assize, at which no flesher should be permitted to act. "And that they keep the prices, that neither for gift, prayer, nor gain, they do favour in their pricing." That they should fix the price of these things as oft as they were required.

The fleshers themselves were challenged in the Chamberlain's court on a long list of points. "That they sold flesh against the assize of the worthy men of the town, and before it was priced. That they bought and slaughtered beasts during the night contrary to the law of the burghs, and that they forstalled the burgh by buying in the country. That they sold flesh before the signal was put forth, and that they sold the good flesh to strangers and the bad to their neighbours, and that they denied the price when it was asked." The bakers were asked if they had more men engaged at their oven than the law allowed, which was four—the master, two servants and a boy.



And if they baked each kind of bread as the law of the burgh commanded, namely, bread of the finest flour, bread of the second quality, and bread baken of whole flour; and if they baked according to price, "that is to say, penny bread, halfpenny bread, and farthing bread." The millers were asked if they had more servants in their mills than the law allowed, "to the scath of the King and the people"; and if they take smolts in the mill stank against the inhibition of law; and if they used two measures, "one to take with and another to deliver with." The salmon fishers were asked if they kept in the middle of the stream when fishing, according to law, and if they ceased fishing on Saturday after evening till Monday at sunrising. White fishers were asked if they sold their fish at the bank, when they ought to sell them in the King's market under the full penalty of confiscation; and also if they sold their fish in the night and in hidden places, and not in the market, and if they broke their fish and sold them in pennyworths contrary to the King's laws.

The brewers and ale-house keepers were asked, if they had kept the price imposed by the assize of the worthy men of the town, after the buying of the malt; if they had neglected to have their ale tasted, as it should have been according to law; and if they have the proper measures—"quart, pint, third part, and sixth part, according to the King's money, by which measures the people may be well served." Wine sellers were asked if they sold their wine without having it tasted by the public tasters, and whether their own measures were unproved, and if they mixed good wine with bad and corrupted it. The malt-makers were asked if they mixed good and bad malt together, when they ought to make them separate, and then sell them at different prices. That they let their malt sprout at both ends and shot out all the pith of it, "when it ought only to chip and come at one end."

The shoemakers were asked why they made shoes otherwise than the law had ordained, "that is, the horn and the ear are alike in length." They made shoes, boots, and other things of the leather before it was barked. "They sewed with rotten thread, owing to which the shoes were lost before they were half worn." And when they should have given their leather good oil and tallow, they gave it only water and salt; and they worked it before it was curried, to the great scath of the community.

The skinnners were asked if they had kindly worked their leather before they made gloves and other things out of it; or if they had

hungered it, by not giving it enough of alum, eggs, and other things. They sewed and worked with bad thread, and assumed the position of masters when they did not know the craft. The tailors made too much refuse and shreds of men's clothes, through haste and for lack of skill. They made men's garments otherwise than they were ordered; they sewed with bad thread, and often failed to keep their appointments. They assumed the place of masters before they had properly learned the craft; and "they worked on holydays against the law of God."

One of the points into which the Chamberlain had to inquire, referred to the treatment of foreign merchants—"If there be any burghesses who hardly treated foreign merchants, coming to the burghs with their goods by sea or by land, by not keeping the laws nor making payments to them as ought to be done, or doing any other injuries to them, by reason of which such merchants wholly cease to come to the burghs and ports, to the damage of our lord the King, and the manifest ruin of the communities of burghs, on account of such hard treatment."<sup>33</sup>

It appears that the matters treated in the Chamberlain's court, and the laws and customs indicated in the preceding pages, were carried into practical operation, as the records of the burghs show. In 1434 the Town Council of Aberdeen enacted that no one should sell ale dearer than fourpence or sixpence, as it should be fixed, under the penalty of the confiscation of their brewing utensils, their ale, and exclusion from the trade for a year and a day. The head court of the burgh of Peebles in 1450 appointed four men to the office of ale tasters, and other four men to fix the price of flesh, and such officials were regularly appointed. In 1458 the head court at Peebles enacted that any brewers who broke the fixed price of ale should be fined for the first offence, one gallon of ale, for the second two gallons, and for the third three gallons, and for the fourth offence eight shillings. In 1471 the local authorities of Peebles ordered that the best ale should be sold at tenpence the gallon, or cheaper if the ale tasters deemed it right, and the second quality of ale at eightpence the gallon, and whosoever broke the price of the ale should be fined ten shillings. The provost and the magistrates of Edinburgh in 1492 proclaimed that no person in the burgh should sell ale dearer than twelvepence and eightpence the gallon, under the penalties authorised by the

<sup>33</sup> *Ancient Laws and Customs of the Burghs of Scotland*, pp. 115-124, 132-150.

statutes of the burgh. In 1499 the local authorities of Edinburgh enacted that no one should sell ale above sixteenpence the gallon under the penalty of having the heads of their barrels knocked off and the ale divided.<sup>34</sup>

The price of wheat, meal, and bread were all fixed by the local authorities of the burghs. In 1492 the assize of good citizens of Edinburgh ordered that the price of wheat should be ten shillings and sixpence the boll, "of good and sufficient stuff," and the price of malt eighteen shillings the load. The good men of the assize in Peebles in 1462 statuted that whosoever broke the price of bread or ale, from him should be taken twelpence "for the buying of a clock." At the same time the authorities of this burgh enacted that whosoever bought skins, wool, or white woollen cloth from unfreemen either in or out of the burgh, from all citizens found guilty of this offence, there should be taken sixpence to go to the clock. In 1434 the Town Council of Aberdeen ordered that no baker should break the price and the weight of the bread which the bailies had sanctioned; and whoever contravened this, should for the first offence pay eight shillings, for the second fifteen shillings, and for the third his bread should be confiscated, his person put in the pillory, and excluded from his craft for a year and a day. Every baker was obliged to have his own mark upon his bread that it might be known, and any one who neglected to put his mark on his loaves was fined eight shillings. At the same time fleshers, convicted for breaking the price of beef and mutton, or selling flesh before it was priced, were to be fined eight shillings for the first and second offences; but in the case of a third offence, the flesh was to be confiscated, and the offender excluded from his craft for a year and a day.<sup>35</sup>

No retail dealer was permitted to buy goods before eleven o'clock, under the penalty of confiscation, and neither man nor woman was allowed to pass out of the burgh to buy anything before it was brought to the market. Salmon fishers were not permitted to sell their fish till they were shown in the market, nor to store them, but bring them to the market the morning after they were caught, under a fine of ten shillings. If the bailies and local authorities of the

<sup>34</sup> *Burgh Records of Aberdeen*, Vol. I., p. 392; *Burgh Records of Peebles*, pp. 111, 121, 128, 138, 142, 152, 158, 166, *et seq.*; *Burgh Records of Edinburgh*, Vol. I., pp. 62, 75.

<sup>35</sup> *Burgh Records of Edinburgh*, Vol. I., p. 62; *Peebles*, p. 147; *Aberdeen*, p. 147.

burghs neglected to enforce these laws and statutes, then they should be reported to the King or the Chamberlain, "and each of them fined ten pounds without remission." In 1441 the Town Council of Aberdeen, for the good of the community, enacted that no fleshier, nor any other man, should be permitted to buy any kind of fish till they came to the market; and that no one should, in the future, dare to purchase any sort of fish, and raise a dearth on the citizens, till the height of the day was passed, under the penalty of confiscating such fish, and a further fine of eight shillings. The profit of a dealer in fish was regulated in this way: if a fish cost him twelpence, then he was allowed one penny on it; if it exceeded twelpence he was allowed twopence, and so on, for each shilling a penny. At the same time it was enacted that no man should buy more victuals than was necessary for his own house and family; if any one bought victuals to retail, he should sell it openly on the market-day. In 1442 the guild burgesses of Aberdeen enacted that no person should give more than six shillings and eightpence for the stone of wool; and if any one bought wool at a higher price, he was to be fined forty shillings for the common good of the burgh; the price of woollfells were fixed in a similar way.<sup>36</sup>

Many of the statutes of the burghs were directed against a class of persons usually called forestallers and regraters. These were the persons who bought goods, cattle, and food, before the markets or the appointed time for selling and buying, or who purchased goods, grain, fish, and other things, and resold them at higher prices and profits than were then lawful. In the burgh records of Aberdeen, in the year 1402, there is a list containing the names of ninety-five forestallers; they were often denounced in the local statutes, and sometimes severely punished.<sup>37</sup> Within the boundary of every royal burgh there was a complete monopoly of manufacture and trade. Further, some of the charters granted to the burgesses a monopoly of trade throughout the neighbouring or surrounding country. Thus the trading privileges of Rutherglen included the city of Glasgow; the monopoly of Inverkeithing embraced the burghs of Kinross, Bruntisland, Kinghorn, and Dysart; Perth had an exclusive privilege of trade and manufacture over Perthshire; and Aber-

<sup>36</sup> *Burgh Records of Aberdeen*, Vol. I., pp. 391-397.

<sup>37</sup> *Ibid.*, pp. 383-385, 445, 402; *Burgh Records of Edinburgh*, Vol. I., pp. 36, 97.



deen, Inverness, and Edinburgh, had similar trade privileges in their several counties.

The acts and regulations indicated in the preceding pages were generally enforced in the royal burghs in the fourteenth and fifteenth centuries. At Aberdeen, in 1443, Alexander Lammynton was fined for selling flesh above the fixed price; and in 1492 three men were placed in the pillory, their pecks were broken, and each of them fined eight shillings for having pecks of too small measure. At Edinburgh, in 1495, twenty-two bakers in one day were convicted by a jury for buying and regrating French flour; and on the 8th of January, 1499, fifty "Browster Wives" were tried at once, and convicted for breaking the statutes relating to the brewing and selling of ale.<sup>38</sup>

The burgesses of guild possessed a monopoly of commerce in the burghs and outside of them. Acts of Parliament, the burgh laws of the kingdom, and many local statutes of the various royal burghs, all proclaimed the exclusive privilege of the guild brethren with regard to commerce. No one was permitted to work at his craft and deal in merchandise of any description. The guild were exclusively the commercial class, and they assumed the chief offices and mainly exercised the ruling functions in the royal burghs of Scotland; but the larger body of citizens naturally began to form themselves gradually into separate associations, with a distinct view to their own special interests. The craftsmen, however, were not specially favoured by the Crown or the Parliament as the burgesses of guild had been. The Crown and the Legislature frequently interfered to protect the exclusive privileges of the guild burgesses, but no early charter from the Crown or Act of Parliament has been discovered legalising the incorporation of the craftsmen. In fact, they seem to have risen into importance by their own energy. As we have seen, they were subjected to a severe and exacting system of inspection under the authority of the Great Chamberlain. At last, when Parliament interfered with the craftsmen it was with the professed intention of guarding the nation against their encroachment, a pretext often groundlessly advanced by governments.

In 1424 Parliament passed an Act which enjoined that in every burgh each separate craft should, with the advice of the town's officers, elect one of their own number to be deacon of their craft.

<sup>38</sup> *Burgh Records of Aberdeen*, Vol. I., pp. 398, 419; *Burgh Records of Edinburgh*, Vol. I., pp. 69, 75.

The duties of the deacons thus elected were to inspect the materials and the workmanship of the craftsmen, "so that the people may not be scathed by untrue craftsmen, as they have been in bygone times." Whether the deacons had exceeded the duties assigned to them or not, in 1426 Parliament declared that deacons of crafts should have no corrective power over the other members of the craftsmen, except to inspect their work once every fifteen days. The sworn bailies and council of every burgh were ordered to fix the price of the materials of each craft and consider the cost of the labour of the workmen, and then fix the price of the articles produced, and proclaim it to the people. The town councils were also commanded to fix the wages of craftsmen who had to work on other men's materials, such as wrights and masons. All craftsmen who undertook more work than they could accomplish were to be punished. In 1427 Parliament repealed the above Acts, which in some degree had recognised the standing of the craftsmen, and then denounced the action of the craftsmen as injurious to the people and the whole nation, and therefore the craftsmen were prohibited from electing deacons or holding meetings. This jealousy of the craftsmen continued to manifest itself for more than another century, and till in some measure the settlement of the different classes of the burghal population was effected.

The Acts prohibiting all craftsmen from engaging in trade or dealing in merchandise were repeated in the reign of James II., James III., and James IV. In 1459 the goldsmiths were recognised and treated as an established fraternity in an Act of Parliament, but the body of craftsmen were still regarded with suspicion by the Estates of the realm. Parliament announced, in an Act passed in 1493, "that it was clearly understood by the King and the three Estates, that the deacons of the craftsmen in the burghs were extremely dangerous, and might cause great trouble by the assembling and rising of the King's subjects, and by their statute-making against the commonweal for their own profit, which deserved severe punishment. As those craftsmen assembled and framed rules that they should have wages for holydays, or if not they would not work; and when any of them began a job and left it unfinished, then no one of his craft dare venture to complete it. Therefore, it was enacted that all the functions of the deacons should cease for one year, excepting the power to examine the materials and the quality of the workmanship. Masons and wrights, and other craftsmen, who statuted that they

should have their wages for the holydays as for work days, and all the makers of such statutes, should be indicted as common oppressors of the people, and the justice-clerk should proceed thereupon and punish them as oppressors ; and likewise the makers of the rules that when one man begins a job no one else can complete it, should all be punished as common oppressors.”<sup>39</sup>

Still, in spite of this and other attempts to crush the fraternities of craftsmen, the custom of incorporating them gradually came to be introduced throughout the kingdom. The manner of effecting this was pretty uniform, and consisted in granting letters under the seal of the burgh court, called a “Seal of Cause.” There was some variation in the tenor of these, as some of them expressly prohibited all persons from working at the special trade but the freemen of the craft ; they all, however, gave the craft the privilege of admitting new members, inspecting materials, making bye-laws, electing office-bearers, and having a fund-box or common good. Of course, in all of them, there was implied a strict monopoly within the limits of the burgh, as it stood at the date of the grant.

As illustrative of this matter, and also of the common arts of life, Edinburgh may be taken as a favourable example of the whole kingdom in the latter half of the fifteenth century. In 1473 the provost and council of Edinburgh granted a Seal of Cause to the hat-makers of the burgh, in which it was stated, among other rules, that no master hatmaker should take apprentices for a shorter period than seven years ; if, however, any of the craftsmen’s sons became apprenticed, they should only be bound for three years. Further, the hat-makers considered that it was very proper and profitable that no one of their craft should, under any circumstances, sew, renew, or mend any old hats.

In 1475 the provost and council, and all the deacons of the craftsmen, of Edinburgh granted a Seal of Cause to the masons and wrights—“For the honour and the worship of St. John, and the augmentation of divine service ; and for the right ruling of these two crafts, equally profitable to the workers and to all builders.” Among other rules in this deed, no master was to be permitted to take apprentices for a shorter term than seven years ; and every apprentice at his entry should pay half a mark to the altar of St. John in the church of St. Giles. The same year the provost and council of Edin-

<sup>39</sup> *Acts Parl. Scot.*, Vol. II., pp. 8, 13, 14, 48, 234.

burgh granted a Seal of Cause to the weavers—"For the honour and love of Almighty God, and his mother the Virgin Mary, and St. Servanus, for supporting and upholding of divine service, and the appareling of their altar of St. Servanus, which was founded and upheld by them in St. Giles' church, and for the management of their work, the good rule and worship of the kingdom, the common profit of the craftsmen, and divers other things." In this Seal of Cause it was stated that the weavers should elect their deacon once a year, like the other craftsmen, and the deacon should rule the craft, and all the men should obey him in all honest and lawful things touching the craft. But the freemen of the craft who were burgesses should elect the deacon, and no one else should have any voice therein. No master should take apprentices for a shorter term than five years; and every apprentice should pay at his entry five shillings to the altar of St. Servanus. Every man and woman who worked at the craft should give the priest his meat, and every week give a penny to the altar, and each hired servant should give fourpence a year to the altar. All those who disobeyed the deacon, and refused to abide by the statutes of the craft, for each offence they should have to pay one pound of wax. No woman should act as a master, or hold a workshop, unless she be a freeman's wife.

In 1483 the provost and council of Edinburgh granted a Seal of Cause to the hammermen, in which were named the blacksmiths, goldsmiths, coiners, saddlers, cutlers, bucklemakers, and armourers. There were a number of very minute rules in this deed for the regulation and the profit of the various crafts incorporated under it, and these all ran on the lines of restriction already indicated. In 1488 the magistrates and council of Edinburgh incorporated the fleshers, and the first rule in this deed was a declaration to the effect that the deacon and the principal masters of the craft in the burgh had, after mature consideration, arrived at the conclusion that it was most expedient for the common profit that all the unfreemen and boys should be expelled from the craft, unless they either bound themselves as hired men or apprentices. The coopers were incorporated in Edinburgh in 1500: and in the other burghs of the kingdom the various classes of craftsmen began to be incorporated much about the same time, or in some instances, a little later than those of Edinburgh.<sup>40</sup>

<sup>40</sup> *Burgh Records of Edinburgh*, Vol. I., pp. 28-34, 47-55, 180-183. An interesting and valuable *History of the Incorporated Trades of Aberdeen*, by Mr. E. Bain, was published in 1887; and in the records of other burghs much information on the subject will be found.



One characteristic of the incorporation of the craftsmen which came strikingly out, was their historic association with the prevailing religion of the period. This side of the national life will be subsequently treated.

Although it seems evident that the mechanical skill and the manipulating power of the craftsmen of Scotland in the fourteenth and fifteenth centuries were not highly developed, still the persistent efforts of industry, under unfavourable circumstances, were well manifested throughout this period. It appears that the blacksmiths were unskilful at shoeing horses. In 1478 it was stated in an Act of Parliament that the smiths, through ignorance and drunkenness, hurted and crippled men's horses by shoeing them in the quick. Therefore it was enacted that when a smith shod a horse into the quick he should pay the cost of keeping the horse till his feet be healed, and find the owner another to ride upon or labour, and if the horse be crippled beyond recovery then the smith should pay the price of the horse to the owner. In 1496 James IV. paid three shillings and fourpence for shoeing two horses, and the following year he paid sixteenpence for shoeing his grey horse in Brechin, and the same for shoeing his brown nag. It appears that the Scotch kings of this period employed a number of smiths and other craftsmen from time to time.<sup>41</sup>

The principal cities and towns of the Church during this period were St. Andrews, Glasgow, Paisley, Dunfermline, Arbroath, Brechin, Dunkeld, Dunblane, Dornoch, and a few others. St. Andrews was the residence of the metropolitan of Scotland, the chief religious centre, with a fine cathedral, castle, many churches and religious houses, and the seat of a university; it had also a considerable trade; and these together rendered it one of the chief cities of the kingdom in the period under review. It was then a comparatively populous and wealthy city.

In the latter part of the fifteenth century Glasgow was still a small city, although her great cathedral, with its many altars, the archbishop's palace, convent, and hospital, and her university, conferred influence and dignity on the town. Glasgow was under the authority of the Archbishop, and the appointment of the magistrates remained in his hand till the Reformation. In the fifteenth century Glasgow

<sup>41</sup> *Acts Parl. Scot.*, Vol. II., p. 119; *Accounts of the Lord High Treasurer*, Vol. I.; *Exchequer Rolls of Scot.*

had little trade, and had to maintain a struggle about her privileges with Rutherglen, Renfrew, and Dumbarton.

Paisley rose into a thriving town under the shadow of the monastery and the abbot. In 1488 James IV. erected Paisley into a free burgh of barony, with the same privileges as the burghs of Arbroath, Dunfermline, and Newburgh; it had two yearly markets, and the magistrates were to be nominated by the abbot. Twelve years later the abbot made a grant of the burgh to the provost, the bailies, and the community. The burgesses had the right of taking stones from the abbot's quarries, and if they should win coal, then the abbot should have fuel from their pits.<sup>42</sup>

Arbroath, as indicated by its custom, had a considerable foreign trade in the fourteenth and fifteenth centuries. About the end of the fourteenth century the abbot and the burgesses made a worthy effort to render the harbour more secure for ships, and voluntarily taxed themselves to accomplish the necessary work connected with this improvement. The burgh continued to prosper, and the port and town eventually rose to commercial and manufacturing importance.

Brechin has been repeatedly mentioned in its historic relation in preceding pages. In the period under consideration Brechin was a city with her cathedral and castle, and many historic associations. Dunfermline was a favourite residence of the Scotch kings from Malcolm Canmore onward to modern times; still, at the close of the fifteenth century, except its religious buildings, it was a comparatively small town, built of wooden houses.<sup>43</sup>

Greenock, Kilmarnock, and other towns, were as yet hardly in embryo. In short, the mineral resources of the country, coal and iron, had scarcely yet been touched.

The defence of the country constantly engaged the attention of government and consumed a large part of the nation's energy. The habits of the people, engendered by the pressure of external enemies, and fed by internal commotions, had assumed warlike and military

<sup>42</sup> *Register of Paisley*, pp. 263, 73.

<sup>43</sup> *Register of Arbroath*, Vol. II., pp. 40-42; Chambers' *History of Dunfermline*, p. 327. In the fifteenth century the shirt of St. Margaret, the queen of Malcolm III., Canmore, was preserved at Dunfermline as a highly cherished relic. It was carried to Mary of Gueldres at the date of the birth of James III.; and it was also brought from Dunfermline at the time of the birth of James V. *Exchequer Rolls*.

characteristics. Even the citizens of the burghs were often commanded to have their weapons ready, and kept beside them in their shops, to face any sudden emergency or brawl which might arise on the streets. They had to defend themselves against the attacks of external enemies, to watch and ward the burgh, maintain order and uphold the honour of the town.<sup>44</sup>

Many Acts of Parliament were passed touching the defence of the kingdom, and ordering the sheriffs of the counties and the magistrates of the burghs to hold "wapinschaws" of the fighting men of the realm four times in the year; all those from sixteen to sixty years of age were bound to muster as fighting men. The armour and weapons of the different ranks of society were enumerated in an Act of Parliament in 1429, and again in the reign of James II. in 1456; and this matter also engaged the attention of the parliaments of James III. and James IV. The Act of 1429 enjoined that every man who had twenty pounds of yearly income, or possessed a hundred pounds worth of moveable goods, should be well horsed and fully armed. Those of lower rank, who had ten pounds of yearly rent, or fifty pounds worth of moveable property, should furnish themselves with a helmet and gorget, vambrace, breastplate, greaves to cover the front of the thighs, and iron gauntlets. Every yeoman worth twenty pounds, should arm himself with a doublet of fence, an iron hat, a bow and a sheaf of arrows, a sword, buckler, and a knife. Men worth ten pounds, should have a bow and a sheaf of arrows, a sword, buckler, and a knife. All those who could not handle the bow should have a good strong hat, a doublet of fence, a sword, a buckler, and a good axe or else a pointed staff. Every burgess worth fifty pounds was commanded to be completely armed as a gentleman ought to be; and citizens worth twenty pounds, should arm themselves with a stout hat, a doublet and habergeon, a bow and a sheaf of arrows, a sword, a buckler, and a knife; those not bowmen should have a good axe and fencible weapons. Severe penalties were to be inflicted on those entrusted with the carrying out of the acts, if they neglected to comply with their requirements.

Some of the armour and weapons mentioned above were imported. In 1425 parliament enacted that all merchants who passed to foreign countries with their ships, besides their common cargoes, they should

<sup>44</sup> *Burgh Records of Aberdeen*, Vol. I., pp. 8, 9; *Burgh Records of Edinburgh*, Vol. I., pp. 68, 72.

bring home as much harness and armour, spear shafts and bow-strings, as they possibly could. The spear was for long the favourite weapon of the Scottish infantry. The length of the spear was from fifteen to eighteen feet, and the Scots handled it with great skill and remarkable effect. They were singularly deficient, however, in the use of the bow, and owing to the marked superiority of the English in this arm, the Scottish army often suffered severely. James I. and the succeeding kings saw and understood this, and earnestly endeavoured to supersede the spear in some measure by the bow ; but all their efforts failed, though many expedients were tried to induce the people to use the bow. All the young men were commanded to learn the use of the bow, and butts were ordered to be erected throughout the kingdom, especially in the vicinity of the parish churches, and every man was enjoined to shoot thrice. In 1457 a pair of butts were ordered to be erected at every parish church, and shooting with the bow to be practised every Sunday. It was then enjoined that each man should shoot at least six times, under a fine of twopence on every man who was absent ; and the fine money was to be spent on drink amongst those who had attended the shooting. Enactments were also passed which prohibited the national games of football and of golf, with the object of promoting the exercise of archery ; but all these acts and devices were unavailing, as the Scots never acquired an aptness in using the bow.

According to feudal usage the longest term of service which the King could exact at any one time was forty days, and the more usual period of service in the field was fifteen or twenty days. The feudal army provided its own equipments and provisions, as indicated in a preceding paragraph ; thus the soldiers were the vassals of their respective lords and chiefs, not the King's men. Hence the curious social phenomena that the royal authority usually waned in the times of war and increased in the times of peace. The most daring acts of interference with the powers of the Crown occurred on the array of the feudal army. The command of the army belonged to the King, and the most experienced of the nobles led the main divisions, usually four, the right and left wings, the centre, and the reserve. The arrangement of the sub-divisions and sections of the army seems to have been by clans, in which the barons and chiefs acted as subordinate commanders and officers, often by hereditary right. The pith of the Scottish army always consisted of infantry, the Scots were never strong in cavalry ; though for quickness of movement the men



were often mounted on small hardy horses, which enabled them to march long distances in a short time, and this suited the object of the raids into the north of England. Each man furnished himself with a bag of oatmeal trussed to the saddle of his horse, but they mainly trusted to the pillage of the enemy's country for food.

In actual battle, the distinctive tactics of the Scots was the formation in deep battalions, usually circular, though sometimes inclining to the oval or square forms according to the nature of the ground and the position on which they were fighting. This compact phalanx was admirably adapted for resisting cavalry charges, or any form of attack at close quarters; but the deficiency of the Scottish army was the want of a force to meet the English bowmen, who often severely galled the ranks of the Scotch spearmen from a distance. So the fate of a battle was frequently a mere question of time, as to how long the circle of spearmen could endure the double attacks of showers of arrows and cavalry charges. Still the intense national sentiment and spirit of the Scots sustained them in fighting for centuries under these unequal conditions.

About the middle of the fourteenth century cannon began to be used in the attack and defence of fortified places, instead of the old battering ram, sow, and other engines of destruction. James I. and his successors directed their attention to the casting and forging of cannon. In 1456 parliament enacted that "It was thought expedient that the King should request certain of the great barons of the kingdom that are of any might, to make carts of war, and in each cart two guns, and each of them to have two chambers with the graith pertaining thereto, and a cunning man to shoot them. If they have not skill to shoot them now, they may learn or the time come when it will be necessary to have them." The great barons, however, did not furnish cannon for the King's use. Artillery was a branch which did not belong to the original constitution of the feudal army; and therefore, all the expense connected with the production of cannon, and the organisation and equipment of an artillery force to take the field, fell entirely upon the Kings themselves. The expense of the Crown for the artillery in the year 1474 amounted to £753. In the latter part of the fifteenth century there were two classes of guns used in Scotland: 1, guns of large calibre for siege operations, mounted on carriages and usually drawn by oxen; and the missiles discharged by these were mostly balls of stone called "gun-stones." 2, Guns of smaller calibre which were intended for field operations, and were

carried in gun-carts, two or more in each cart ; and the missiles discharged by these were usually balls of iron or lead. But only a few of either of these guns were made in Scotland, the greater part of them were imported.<sup>45</sup>

The houses of the people still mostly consisted of small wooden erections. The houses of the farmers, and also the trades-people of the burghs and towns, were built of wood or other slight materials, although they were not necessarily devoid of comfort. No remains of burgh architecture of a domestic character earlier than the sixteenth century now exist in Scotland.

Touching the actual number of the population of the nation in the later part of the fifteenth century, we have no data to draw a certain conclusion from ; but the probable number though not the exact number may be reasonably conjectured. From the strength of the army which on the greatest emergencies assembled for the defence of the kingdom, it may be inferred with some approach to probability that the population of the country did not exceed 600,000. In the latter part of the fourteenth century Edinburgh was said to have contained four thousand small houses, which by a common mode of calculating, would make its population about 17,000 ; and at the end of the fifteenth century its inhabitants probably did not exceed 21,000. The population of Perth was not above 7,000 or 8,000 ; Aberdeen perhaps had a population of from 4,000 to 5,000 ; Dundee somewhat fewer, and St. Andrews about 5000.

The roads and highways throughout the country were still very bad. Many acts relating to ferries were passed by parliament, but it seems they were little regarded, and many complaints were made that the ferryman charged double and triple fares from both rich and poor people. The establishment of inns by the road-sides and in villages and towns was encouraged by the Crown with the view of saving the monasteries and the farmers from the extortions of unwelcome guests, namely, troops of sorners, sturdy beggars, and other idle vagabonds, who infested the country. In 1424 it was enacted that in all the burghs and thoroughfares of the kingdom inns should be erected, with stabling accommodation for horses, and rooms for riders and travellers, so that men might there find bread and ale and other refreshments at a reasonable price, according to the standard

<sup>45</sup> *Acts Parl. Scot.*, Vol. II., pp. 8, 10, 18, 19, 45, 48, 100, 133, 164, 226 ; *Accounts of the Lord High Treasurer*, Vol I., Pref., pp. 217-219.

charges of the country. It appeared that travellers in Scotland had been too long accustomed to live at free quarters, and did not patronise the inns. The innkeepers, therefore, complained to the King that travellers did not lodge at the inns, but stayed with friends and acquaintances. The King and his parliament then commanded that no one travelling through the country either on foot or horse-back dare to lodge anywhere else but at the inns, except those with a large company, that is, the nobles, who should be free to lodge with their friends, if they sent their servants and horses to the inns.<sup>46</sup>

With regard to sanitary provision the kingdom was in a wretched condition. Swine were permitted to run freely upon the streets of the burghs, and middens were allowed to lie on the thoroughfares for weeks. In 1479 one man was appointed to mend the causeways and clean the gutters for the whole burgh of Aberdeen, and he received one penny from each householder as his wages; and in 1494 there was still only one man for cleaning all the streets and lanes of the city. The state of uncleanness in which the people lived prepared them for the ravages of disease and pestilence in every form, and so the nation was frequently visited by the pest, which from time to time carried off many of the inhabitants of the kingdom. The pestilence visited Scotland seven times from 1348 to 1499, and in fact the country was hardly ever free from it during this period. The disease of leprosy also prevailed in Scotland, and regulations relating to it were passed by Parliament in the reign of James I. Hospitals were erected on the outskirts of the principal towns for the reception of those afflicted with this malady. In the old burgh laws the leper folk were enjoined not to go from door to door and beg, but to sit at the gates of the burghs and seek alms from those that passed to and fro. At Stirling the leper hospital was at the east end of the town.<sup>47</sup>

During this period there was little or no medical knowledge in Scotland. The only surgeons were the barbers, some of whom practised "leechcraft." In the fifteenth century blood-letting in the spring season of the year was universal, and was believed to be highly

<sup>46</sup> *Acts Parl. Scot.*, Vol. II., pp. 6, 10, 89, 107, 119, *et seq.*

<sup>47</sup> *Burgh Records of Aberdeen*, Vol. I.; *Burgh Records of Edinburgh*, Vol. I.; *Burgh Records of Peebles*; *Acts Parl. Scot.*, Vol. II. The History of Leprosy in Scotland has been ably told by the late Professor Simpson, and printed in the *Medical and Surgical Journal* for October, 1841, and April, 1842.

beneficial to the health, and to have a special efficacy against the contagion of the plague and other epidemic disease. James IV. appears to have taken much interest in surgical matters, and was himself reputed to have been possessed of some medical knowledge and some skill as a surgeon. Sometimes he bribed his servants to permit him to perform on them such operations as blood-letting and drawing of teeth. There was, however, some hope of improvement in this department, as we find from the following reference to the salary of a medical professor in King's College, Aberdeen, in the year 1498:—"Uni medico in facultate medicine, graduato et legenti in Universitate infra civitatem veterem Aberdonensem noviter fundata, percipienti annuatim xii. libras et vi. solidos." In 1506 the barbers or surgeons of Edinburgh were incorporated, and in their "Seal of Cause" it was provided "that no person use or practice any of the points connected with the craft of barbery and surgery within the burgh unless they were freemen and burgesses, and after being examined and passed on the following points, namely, that he knew anatomy, and the nature and complexion of every member of the human body, and likewise all the veins of the same; that he may make fly-botch well in due time, and also that he know in which member the sign has domination for the time, for every man ought to know the nature and substance of that on which he operates, or else he is negligent. That we may have once a year a condemned man, after he is dead, to anatomise upon, and whenever we have obtained experience each will instruct the others, and we shall do suffrage for the soul." It was further provided that no apprentice or hired man should be admitted into the craft unless he could read and write.<sup>48</sup>

\* Drinking of liquor seems to have been very common. In 1436 Parliament ordered that no man should sit in a tavern drinking wine, ale, or beer, in any of the burghs after the bell struck the hour of nine o'clock; and if any persons were found in taverns or inns after that hour then the bailies should imprison them in the King's prison, and if the local authorities neglected to perform this duty, they themselves should be fined one shilling for each offence. The citizens of Aberdeen and of other burghs spent considerable sums of money on wine given to dignified persons. In 1453 the Countess of Huntly

<sup>48</sup> *Burgh Records of Edinburgh*, Vol. I., p. 102; *Exchequer Rolls of Scot.*, Vol. XI.; *Accounts of the Lord High Treasurer*, Vol. I.



was presented with a lagon of wine by the people of Aberdeen, and the bishop also received a lagon; and at the feast of St. Nicholas various sums were spent for wine to Lord Forbes, Lord Erskine, the Earl of Erroll, and the Abbot of Arbroath.<sup>49</sup>

James IV. was unusually liberal in giving drink-money. In July, 1488, he gave Mr. William Crichton two pounds for drink; and on the 3rd of August he passed to Leith and saw the Danish ships, and gave the sailors nine pounds for drink; and the same year he gave the masons of the palace eighteen shillings "in drink silver," and the following year he gave a like sum for drink to the masons of Linlithgow working at the palace. In 1489 the King gave the gunners who carted the great cannon "Mons," eighteen shillings "to drink-silver," and to the men who made the way at the Barwood for the great guns, he gave ten shillings to drink. In October, 1491, he gave the masons of the palace in drink-silver, two pounds and fourteen shillings, for the arching of three vaults; and to the workmen who made the trenches eighteen shillings for drink-silver, and to the shipmen ten shillings. In 1494 he gave the writers of the signet to their drink-silver eighteen shillings, and to the wrights a similar sum. The man who made the case to the King's banner in 1496 got three shillings for drink-silver; and the goldsmith who made the King's case of gold to wear about his neck, received eleven shillings and fourpence of drink-silver. In 1497 the dikers of the park of Falkland got ten shillings from the King for drink-money, and to the workmen in the Castle of Edinburgh he gave thirteen shillings and fourpence, and to the men who drew the ship nine shillings.<sup>50</sup>

The chief festivals of the year during this period were Yule and Easter. The festivities associated with Yule were continued over several weeks. In the Scotch court Yule was held with much ceremonial circumstance and merry-making. Early in the day the King, attended by his court and heralds, went to high mass and made his offering; and at noon in the hall the officers of arms and the trumpeters appeared before the King and received their rewards, which consisted of small sums of money. The sergeants of the town received a gratuity from the King, and alms were given to the friars of Edinburgh and Linlithgow, and James IV. frequently held his Christ-

<sup>49</sup> *Miscellany of the Old Spalding Club*, Vol. V., pp. 39, 40, 48; *Pro. Soc. Antiq. Scot.*, Vol. III., p. 424, *et seq.*

<sup>50</sup> *Accounts of the Lord High Treasurer*, Vol. I.

mas in the latter burgh. Mummings, disguisings, and plays, always formed a part of the amusements, in which professional players and minstrels often acted the leading parts. An Abbot of Unreason was annually appointed in the King's house, in the houses of the nobles, and in the burghs, and these personages exercised sway till the Yule holidays terminated. Cards and dice were among the favourite amusements, and altogether the people at this season appear to have enjoyed themselves.

Easter was also held with circumstance and ceremonial, and amusements suitable to the season. On Easter morning the King took the sacrament early in the chapel, and gave to the officiating priest an offering which varied from eighteen shillings to twenty-four; thereafter he attended high mass, and made his usual offering of eighteen shillings; and at noon in the hall he gave the heralds and trumpeters their "Pasch reward," which usually amounted to a sum of from six to ten pounds distributed amongst them. At the same season the King's master cook and the court cook received their "basin silver." Minstrels, tellers of tales, harpers, fiddlers, tabourers, and others who made pastime to the King and the court, usually received gratuities of nine to eighteen shillings each; the minstrels were always welcomed to the halls of the nobles on festive occasions, as well as to the King's court.<sup>51</sup>

At this period the chief rural sports of the King and the nobles were hunting and hawking. The Kings had forests, parks, and many hunting ranges and seats; and the nobles also had hunting ranges and forests. Throughout this period the Crown had extensive hunting grounds, and falconry was also much practised in Scotland. The rights of the forest and the hunting ranges were highly valued, and many acts concerning them, and wild animals and birds, were passed by the Scotch legislature. In 1424 James I. ordered the Justice Clerk to bring to justice stalkers and their abettors who slay deer, and when any stalker was convicted of slaying deer, roe, or doe, he was to be fined two pounds, and his abettors ten pounds. An Act was passed in 1427, which prohibited the killing of "partridges, plovers, blackcocks, greyhens, moorcocks," and such fowls, from the end of February to the month of August, under a penalty of forty shillings; and similar statutes were passed in the reigns of the three succeeding Kings. One of these Acts enjoined that no person should

<sup>51</sup> *Accounts of the Lord High Treasurer*, Vol. I., Pref., pp. 237-246.

destroy the nests or the eggs of the wild birds, which were useful for the sustenance of man, "nor slay the birds in close time, when they may not fly." As already mentioned, Acts of Parliament were passed in the fifteenth century, commanding the people to assemble four times in the year to hunt and destroy the wolves; and every man who at any time slew a wolf, was to receive one penny from every householder of the parish in which the wolf was killed; and every one who killed a fox and brought his head to the sheriff, baron, or bailie, was to receive sixpence.<sup>52</sup>

The outdoor amusements of the people were chiefly of an athletic character, such as fencing, wrestling, running, and leaping, and the games of football and golf. James IV. himself frequently played at football and other field sports; and he entered into more familiar intercourse with his people than any other King of the Stuart line.

Enactments for regulating the dress of the different classes of society were passed in the reigns of James I. and James II. The Act of 1457 opened with an announcement that each class of the community had impoverished itself by wearing too sumptuous clothing; both the men and the women, especially in the burghs, had passed the limits of discretion and allowance. These Acts therefore strictly prohibited the wearing of all kinds of silk dresses by the people, except the nobles and the magistracy. All other men and their wives and families were commanded to dress themselves in a fashion corresponding with their rank and condition; and which for the women should be "short kerchiefs with little hoods to wear on their heads, such as were used in Flanders, England, and in other countries; and no woman whatever should go to the kirk or market with her face covered, so that she might not be known, under the penalty of the confiscation of her kerchief and all her head gear. As to her kirtle, which covered the body from the neck to the feet, no woman should wear tails of unbecoming length, or furred round the foot, except on the holydays. The commons, husbandmen, and labourers were enjoined not to wear any other stuff on week days but white or gray clothes, and on holydays light blue, green, or red; and their wives the same colours, with kerchiefs of their own making; and the cloth worn by these classes should not exceed the price of forty-pence per yard."

An Act was passed in 1455 which regulated the official dress of the

<sup>52</sup> *Acts Parl. Scot.*, Vol. II., pp. 7, 15, 16, 51, 52, 107, 235, 251.

upper classes. When they appeared in parliament they should have been attired in the following style :—"The Earls to wear mantles of brown grained cloth, open in front and furred with white stuff, and with the same lined a handbreadth in front and reaching down to the belt, staid with similar furring, and with little hoods upon the shoulders. The Lords of Parliament to wear a mantle of red cloth, opening in front to the right, and lined with silk or furred with crispy grey, green, or purple stuff, and furred hoods of the same cloth on the shoulders. The Commissioners of the Burghs should each have a pair of cloaks made of blue cloth, open on the right shoulder and furred round the end, and with furred hoods." If any of these ranks appeared in parliament or a general Council without their proper habiliments, they rendered themselves liable to a penalty of ten pounds. All the advocates were ordered to wear a tunic of green cloth, with the sleeves open like a tabard, and if they appeared in parliament without this they were liable to a fine of five pounds. Among the clergy, no one was permitted to wear a scarlet gown or furred martin, except the dignitaries in cathedrals, college churches, a doctor, or a person with an income of three hundred marks a year.<sup>53</sup>

Touching the common articles of dress in use amongst the higher classes, the gown in various styles was a common upper garment of the period. The long gown was loose and reached to the feet, open in front, and sometimes worn with a girdle. Some of them had sleeves, and some not, as sleeves were often made as separate articles of dress, and thus they could be used with different kinds of garments. The long gown took four or five yards of broad cloth according to the size of those who wore them. The short gown reached to the knee, and it was lined and trimmed like the long gown, with various kinds of furs, such as marten, minever, ermine, and lambskin. The doublet was a close fitting tunic, and it was made of various kinds of cloth. The waistcoat was worn under the doublet, and it was usually made of woollen cloth. The riding or hunting coats were rather longer and fuller than the doublet. The hose were tight-fitting pantaloons and usually reached to the ankles, and they were fastened to the doublet or waistcoat by strings. There were also short hose which reached to the knee, and were worn with foot socks of cloth. The hose were made of woollen cloth of different colours, but usually of the darker hues. Over these the tippet and the cloak were worn. The tippet

<sup>53</sup> *Acts Parl. Scot.*, Vol. II., pp. 18, 43, 49, 100.



varied much in length at different times, and it was made of various kinds of material. The cloaks worn in the latter part of the fifteenth century were short and reached to the haunches. James IV. had a cloak made of eighteen yards of velvet, lined with satin and bordered with crimson satin, and it cost £110.

Bonnets, caps, and hats of various styles were worn. The bonnets were usually made of black or scarlet cloth, and the price of them varied from ten to eighteen shillings. Hats also varied in price from four shillings to fourteen. Boots and shoes of various kinds were worn. A pair of shoes cost one shilling, and a pair of pattens—shoes with wooden soles—cost sixpence. French shoes cost four shillings, and a pair of half-boots eight shillings.<sup>54</sup>

Touching the domestic arrangements and the household goods and utensils of the body of the people, there seems to be evidence of considerable advancement during this period, notwithstanding the long war and all the internal commotions and disturbances in the nation. Although it was already stated that the houses of the rural population were of a small and slight description, and that the greater part of the houses in the burghs were built of wood and other light materials which were easily procured, still their houses were better furnished than the state of society would naturally have led us to conclude. Glass windows were in general use in the houses of the nobles and the rich; as yet, however, they were costly. In 1328 glass was put into the windows of the new chamber which Robert I. had erected at his manor of Cardross; and in 1389 thirty pounds were paid for glass to the windows of the Abbey of Paisley. In 1447 a quantity of glass was purchased for the repair of the King's chamber in Stirling Castle; and in 1501 nine pounds were paid for glass to repair the windows of the Gray Friars Church in Stirling. Still comparatively few of the houses of the people had glass windows at the end of the fifteenth century. Grates were little used, and bathrooms were rare even in the houses of the nobles.<sup>55</sup>

It seems curious that the legislature considered it necessary to pass enactments for repressing extravagance in dress. If the people had been very poor, then there could have been no need for such enactments; and thus the historic interpretation appears to be that these sumptuary acts indicate an advance in the civilisation of the people.

<sup>54</sup> *Accounts of the Lord High Treasurer*, Vol. I., Pref., pp. 168-179.

<sup>55</sup> *Exchequer Rolls of Scot.*

In the national records many notices of workers in gold and silver, of gold chains, collars, signets, crosses, pins, rings, and other ornaments and articles occur; and silver was more used in the form of seals, beads, rings, book-clasps, belts garnished with silver, and many other ornaments; and also as plate, silver basins, goblets, stoups, cups, and spoons. Pearls were comparatively common.<sup>56</sup>

The price of the staple necessities of life in this period may be briefly indicated. In 1330 the price of an ox was 8s. 7d., of a sheep 1s. 9½d., the chalder of oats £1 1s. 4d., the chalder of oatmeal £1 12s., and the chalder of wheat £1 16s. In 1372 the price of an ox was 4s 11d., of a sheep 1s 2¼d., the chalder of oats £1, the chalder of oatmeal £1 8s., and the chalder of wheat £2 1s. 4d. These prices varied from time to time, but except in years of dearth they did not rise very high. From the middle of the fifteenth century to its close the price of oxen ran from 5s. to 18s. a head, sheep from 1s. 6d. to 3s., and oatmeal from 4s. to 7s. per boll.<sup>57</sup>

A comparatively large number of the people lived on the land and cultivated it, under various forms of tenure, and, as labourers, as has been indicated in preceding pages. The wages of agricultural labourers during this period has not been accurately ascertained, but it may fairly be assumed that their wages were, for the most part, paid in produce. Thus the agricultural labourers would usually have had a supply of food, whatever else they might have lacked in the form of money wages; and it seems probable that this class enjoyed a tolerably comfortable life. No doubt there were exceptions, and the labourers on some estates might have been much harder treated than those on other lands; there were the Crown lands, the Church lands, the wide possessions of the nobles, and the estates of the small barons, on all which agricultural labourers were employed. It appears from several distinct indications that after James I. assumed the reins of government the labourers on the Crown lands obtained a considerable improvement in their condition, as this able and enlightened prince understood the source of wealth, and encouraged industry; while at the same time he curbed the power of the nobles. One immediate result of his action was that a large extent of lands was forfeited to the Crown, and thus it was that a considerable number of agricul-

<sup>56</sup> *Exchequer Rolls of Scot.*; *Acts of the Lords of Council*, pp. 9, 87, 98, 135, 176, 199, 220, 228, 287, 430; *Acts of the Lords Auditors*, pp. 14, 65, 55, 62, 67, 91, 129, 136, 146, 159.

<sup>57</sup> *Exchequer Rolls of Scot.*

tural labourers, soon after his accession to power, found themselves under a juster and wiser master than heretofore. The other grades of vassals, tenants, and farmers, in the earldoms and lands which James I. annexed to the Crown, also found themselves relieved from an oppressive form of tyranny and anarchy, and they were permitted during his reign to follow the ways of peace, order, and industry. On the Crown lands a practice very generally prevailed of allowing tenants to occupy their holdings rent free, either on account of some office, of which the rent was considered as the fee, or as a reward for some important service rendered to the nation. It also appears that tenancies thus occupied were from time to time converted into feu-tenure or blanch holdings, and the occupiers then received charters, and thus became Crown vassals instead of tenants.<sup>58</sup> No doubt between the accession of James I. and the end of the fifteenth century a number of the labourers on the Crown lands became tenants and farmers under the Crown, and even some of those whose ancestors were serfs in the thirteenth century might have obtained feu-tenure and blanch holdings by charter from the Crown before the close of the fifteenth century. It thus becomes manifest that the right of the Kings of Scotland to forfeit the lands of a disobedient and rebellious noble often had a most salutary and beneficial tendency; although the historian must recognise that this right of the Crown was sometimes unjustly, and even cruelly, exercised by some of the Scotch kings, while at other times it was not exercised when it should have been.

In the latter part of the fifteenth century the wages of common labourers were about one shilling a day. Masons, carpenters, smiths, and quarrymen, when employed on special service received from nine to ten shillings a week, and highly skilled artificers and workmen sometimes received from three to five shillings per day. Shipwrights engaged on work which had to be completed at a specified time, received one shilling and sixpence per day; the weekly wages of a gunner, who was also usually a smith or carpenter, were thirteen shillings and fourpence a week. Workmen had two weeks of holidays at Christmas, and nine or more other holidays during the year.<sup>59</sup>

Turning to the custom of begging which prevailed, and the state of crime in the nation, matters connected with the administration of

<sup>58</sup> *Exchequer Rolls of Scot.*

<sup>59</sup> *Ibid.* *Accounts of the Lord High Treasurer*, Vol. I.

justice, and the means of prevention, detection, and punishment of crime, will be considered. Beggars, thiggers, sorners, masterful robbers, oppressors, and other vagabonds, were numerous in the country. Begging under certain limits was authorised by Act of Parliament in 1424. This Act prohibited all persons between the age of fourteen years and sixty years from begging, unless it was found that they could not live by any other means; such helpless persons were to receive a token from the sheriff of the district, and in burghs from the bailies, and those thus provided with tokens were then allowed to beg; all other idle persons were commanded by proclamation to betake themselves to honest labour and earn their living by their own efforts, under the penalty of burning on the cheek and banishment from the kingdom. This Act was often re-enacted with additions, still the beggars continued to multiply. In 1425 James I. passed another Act of Parliament, which ordered the sheriffs and the bailies to make enquiry concerning all the idle men in the respective bounds of their jurisdiction, and having ascertained those who had nothing of their own to live upon, then such men were to be arrested and kept till they found caution not to injure the country, but they were to be allowed forty days to find masters or to engage themselves at some lawful work. When the forty days had run, if they were still idle, then the sheriffs were directed to re-arrest them, and send them to the King, who should punish them as he thought fit. It seems highly probable that James I. might have found employment for some of these men as labourers on the Crown lands.

In the fifteenth century many Acts of Parliament were passed against masterful beggars and sorners. The sorners and masterful beggars were described, in an Act passed in 1449, as persons who travelled through the country in bands, accompanied by horses and hounds, and lived at free quarters on the people, and consumed the fruits of their industry and destroyed the growing crops. The Act directed that the sheriffs and other Crown officers, the barons, and the bailies in burghs, should make inquisitions concerning these sorners and masterful beggars at all their courts, and if any of them were found, then their horses and hounds and their other goods were to be confiscated to the King, and their persons imprisoned till the King announced what should be done to them. The Crown officers were also ordered to make inquiry at every court if there were any persons who pretended to be fools, or bards, "and such like runners about;" and if any of these were found, then they should be



imprisoned and detained as long as they had anything of their own to live upon ; when that was consumed, then their ears should be nailed to the trone and cut off, and themselves banished from the country ; and afterwards if they were found in the kingdom, then they should be hanged. But this did not extinguish the sorners nor "the runners about"; for six years later another Act was passed against them, which ordered that whenever sorners were taken they should be delivered to the sheriffs, and forthwith the King's justiciary should execute the law upon them as robbers and thieves ; yet this seems to have been ineffectual, for in 1457 it was ordered that an inquisition should be made of the sorners, masterful beggars, feigned fools, and bards, and that all those found, should be banished from the kingdom or sent to the King. Still, in 1478, it was enacted that "for stanching the sorners and masterful beggars who daily oppressed and harried the King's poor subjects, the Acts before passed should be put into sharp execution, which was to say, that wherever sorners were captured they should be delivered over to the sheriffs, and the law executed upon them as on common thieves and robbers ; and also that indictments should be framed upon this class of crimes every year in the Justiciary Circuit Courts, and that due punishment should follow accordingly."<sup>60</sup>

It was one of the sheriff's duties to report and indict all persons charged with crimes which came within the Justiciary's jurisdiction. The indictments were delivered to the Justice-Clerk, and when he made up his roll it was the duty of the coroner to arrest all the persons named in it. Although there was a Justice Clerk and also a King's Advocate, there was as yet nothing which could be called a regular system of public prosecution, as the right to prosecute belonged to the injured person or his relatives. Besides the compensation to the injured party, there was a fine due to the Crown, for which the sheriff was held liable, not only for the cases tried in his own court, but also for the fines and escheats of the Justiciary Circuit Courts. Moreover, unhappily, the sheriffs of the period had many fiscal duties to perform ; they had to render accounts of all the casualties of lands held by feudal tenures from the Crown, and often to render accounts of the rents of Crown lands. Thus it happened that only a portion of their time and attention could be devoted to their judicial functions either in the criminal or civil departments. Then there were

<sup>60</sup> *Acts Parl. Scot.*, Vol. II., pp. 8, 11, 15, 36, 43-45, 49-51, 119, 251.

the anomalies of all the separate jurisdictions connected with earldoms, baronies, and regalities, as explained in preceding pages, which greatly hampered and retarded all efforts to improve the administration of justice.

Murder, manslaughter, rape, robbery, and theft, were rather common throughout the kingdom. Many Acts of Parliament were passed for stanching and punishing these crimes, but they seem to have produced little effect. When criminals were convicted, they were often pardoned, and many remissions of crimes and of fines were given every year. In 1487 Parliament enacted that no remissions for the crimes of treason, murder, rape, slaughter, violent reft, theft, and false coining, should be granted for seven years. It appears that among the barons there was a custom of selling thieves, that is, saving them from punishment under certain conditions. In 1491 it was enacted that "when any man happens to be slain in the kingdom then without delay, and as quickly as the sheriff, steward, or bailie of regality can be informed thereof, either by the party complainant or in any other way, he should immediately pursue the slayer and raise the King's horn on him, and raise the people in his support, until the criminal be overtaken ; and if he be captured, he should be brought to the King, or else kept in custody till the King has been informed, and returned an answer as to what should be done thereon. If the murderer escape from the sheriffdom in which the crime was committed, then the sheriff should send one of his officers to the sheriff of the next county and inform him of this man who is a fugitive from the law. Then that sheriff should immediately pursue the criminal through his sheriffdom, and so on from sheriffdom to sheriffdom till he be taken or driven out of the country. But when the murderer had fled out of the royalty and into the regality, the sheriff should immediately inform the lord of the regality and his bailie, and they should pursue the criminal as the sheriffs had done ; and wherever the criminal chanced to be taken, the sheriff or the bailie of the regality should send him to the next sheriff, and so on from sheriff to sheriff till he be returned to the shire in which the crime was committed, and there justice should be executed. When any of the sheriffs or officers neglect their duties in cases of this character, if they be hereditary they should forfeit their offices for three years, but if they held their offices by appointment they should lose them for ever."<sup>61</sup>

<sup>61</sup> *Acts Parl. Scot.*, Vol. II., pp. 23, 176, 256, 225 ; *Exchequer Rolls of Scot.*

Thus we see that at the end of the fifteenth century the sheriff and other Crown officers could not follow even a murderer through a regality. The practical result was that a powerful lord of regality, whenever it suited him, could screen from the hand of justice the greatest criminal in the kingdom; and this, in fact, frequently occurred. Many of the sheriffs held office by hereditary right, and the feebleness of the Crown appears from the trifling penalties attached to the malversation of hereditary officials. Criminals who had been captured were sometimes imprisoned in the castles of the barons of the district, who were held responsible for their escape. Lord Kennedy refused, on two different occasions, to imprison four criminals in his castles when required by the Crown officer to do so; for this he was fined forty pounds, but his lordship never had to pay the fine as he received a remission.

The Earl of Bothwell was Warden of the west and middle marches, and also Lord of Liddesdale. In 1498, in a Justiciary Court held at Jedburgh, Bothwell was fined £550 as pledges or bail for a number of persons dwelling in Liddesdale, and in the Justiciary Court held in 1500 he was again fined a similar sum of £550, which made his total liability to the Court £1,100. Now, this sum represented the bail and fines of fifty criminals, whom Bothwell had enabled to escape by becoming security for them. But did Bothwell actually pay this sum of money to the Crown? No! the whole of it was remitted by letters under the Privy Seal. The ground of the remission was stated to be "the good services done by the Earl of Bothwell in many ways, and especially in settling the district which the aforesaid persons and other undaunted people inhabited."<sup>62</sup> This is simply an example of what occurred more or less frequently in every quarter of the kingdom.

In the burghs criminal cases were mostly decided by a jury, which varied in number from five to twenty. Their verdict settled the truth of the assertions and averments of the parties to the action, and then the judge applied the law to the fact. The adjustment of the issues seems to have been pretty rapid. This system of burgh law is now obsolete, though fragments of it, under more or less disguise, survived till recently.

There were various modes of punishment, such as fines, banishment

<sup>62</sup> *The Sheriff Courts of Scotland*, by John D. Wilson, LL.D., Introd.; *Exchequer Rolls*, Vol. V. and XI.

from the town, burning on the cheek, cutting off the ear, and penance performed in the church, were common forms of punishment. The forms of torture were connected with the joughs and the branks, very old instruments. The usual form of the joughs consisted of a flat iron collar with distended loops, through which a padlock was put to secure the culprit in his ignominious durance. The branks were somewhat like a skeleton iron helmet with a gag, which entered the mouth and bridled that unruly member, the tongue. They were chiefly used as an instrument of ecclesiastical punishment, for the correction of female scolds, and those convicted of slander and defamation. The branks seem to have been used at a very early period, and sometimes might have been cruelly applied.<sup>63</sup>

As penance was frequently applied as a punishment for common offences, an instance may be stated. In 1492 "Philip Whithede was fined in the burgh court of Aberdeen for the wrongous disturbance of Thomas Bard, and Thomas also was fined for the disturbance of Philip. Moreover, the court ordered that Philip, on the following Sunday, should go to the church in the time of high mass, with a candle of one pound weight of wax in one hand, and his knife in the other hand, drawn, and holding it by the point; and then in the church deliver his knife to Thomas and ask of him forgiveness, and beseech the worthy men present to pray that Thomas might remit the offence done to him; and then offer the wax candle to the Holy Light at the altar."

Assaults and fights were common in the burghs, and many byelaws were enacted to suppress them. In 1398 the town-sergeants of Aberdeen were charged with rebellion, and the following year the bailies of the burgh were charged with rebellion. In the latter year a man was fined for cursing and beating a woman, and another man was fined for beating his own wife. Many notices of persons breaking the peace of the burgh were recorded; and cases were frequently postponed owing to the weakness of the court, which meant the weakness of the law. A number of persons were fined for speaking aloud and cursing in the burgh court without licence; and one woman was banished from the town. About the year 1411 a list of thieves and receivers of stolen goods was drawn up, and in it there were

<sup>63</sup> *Burgh Records of Aberdeen*, Vol. I., pp. 24, 46, 319, 390, 402, 412; *Burgh Records of Peebles*, pp. 127, 132, 146-147, 164-167; *Burgh Records of Edinburgh*, Vol. I., p. 86.



enumerated twenty-three persons, male and female. Considering the comparative smallness of the population of Aberdeen at that period, the number of known thieves in the burgh suggests a state of crime much greater than prevails at present.

In 1436 the provost and bailies of Aberdeen assembled to consider how they could most effectively punish and extinguish robbers. All the citizens of the town, freemen and unfreemen, were then bound to assist the magistrates and the officers of the city in the maintenance of order, and to turn out immediately when the common bell was rung, or any sudden affray happened on the streets, and when they knew or apprehended any scath to the town impending, or any duels to be fought in it, they should instantly warn the authorities. At this period there were no regular police, but in times of threatening disturbance, or of war in the neighbourhood, a number of the citizens were appointed as a night watch for a time.<sup>64</sup>

Touching social vice, illegitimacy was prevalent amongst the royal family, the nobles, the clergy, and the people. Robert I., Robert II., Robert III., and James IV., had many natural children, and many of the highest nobles had natural children. In the fifteenth century, clandestine espousals and marriages were common among all classes in Scotland; but "espousals, however secret, if followed by sexual intercourse, might annul the subsequent marriage of either party so long as the other was in life." This sometimes led to much heart-burning, serious crime, and strife; and this was especially the case in the royal family of Stuart in the fourteenth and fifteenth centuries. The Crown was much weakened owing to the large number of children which Robert II. had by his two wives, and his natural sons and daughters. One form of irregular cohabitation was called "Handfasted," but not married. Early in the sixteenth century a statute of Archbishop Forman enacted "that clandestine espousals should be denounced, under the pain of excommunication, four times a year in every church in his diocese." This statute ordered the same denunciation to be fulminated against those who after espousals lived together as man and wife without celebrating marriage openly and in the face of the church. Brothels were common in the burghs in the fifteenth century.<sup>65</sup>

The castles of the thirteenth century were briefly noticed, and

<sup>64</sup> *Burgh Records of Aberdeen*, Vol. I., pp. 3, 4, 6, 8, 38, 60-63, 68, 73, 373, 377-379, 382, 392, 421, 422.

<sup>65</sup> *Statuta Eccles. Scot.*, Vol. I., pp. 86, 87, 275-277.

some of them became associated with the struggle of Independence, and were embalmed in the history of the nation. The square towers which were erected in the latter part of the fourteenth century, but mostly in the fifteenth century, were characteristic of the state of society. The square towers of this period were stern keeps which rose storey above storey to a considerable height, and each storey usually consisted of a single apartment; the walls were very thick, and the entrance door was placed high for security, and the window-openings narrow. The floors of the apartments were strewn with bent, grass, or rushes mingled with sweet herbs. Such were the abodes in which the barons and their families and servants lived, and assembled together in the hall to take their food and enjoy their drink. There were no separate apartments for the women but their sleeping-rooms. The square tower usually contained a dungeon in which the prisoners were kept, partly underground.

Although towards the end of the fifteenth century a few good castellated edifices were erected, nearly another hundred years, however, elapsed before a radical improvement was effected in the dwellings of the Scotch nobles.

David II. in the latter part of his reign restored Edinburgh Castle, and made extensive additions to it, including the great tower, which was known as the Wellhouse Tower, and also the passage which formed the communication between it and the castle. The buildings were kept in repair and added to by succeeding kings, and thus it became a royal residence as well as one of the chief strongholds of the kingdom. James I. made considerable repairs on the castle and some additions. There was a royal castle at Linlithgow in the twelfth century, and Edward I. built a tower or peel there. Robert II. and Robert III. frequently resided at Linlithgow, and small sums were expended on this residence towards the close of the reign of the latter King. Shortly after the return of James I., the town, the palace, and the nave of the church of Linlithgow were destroyed by fire. James I. immediately commenced to re-build the palace in a new form and style, and the work of building and finishing the palace, and the park and fish ponds connected with it, were going on during the greater part of his reign. He expended a considerable sum of money on the works; and after his death the work of completing the building of the palace proceeded till 1451, when it appears the west side, and probably a part of the north side, were then erected. In 1467 the work was resumed, and during the succeeding four years a large sum of

money was expended on it; and in 1468 the grounds around the palace were extended. Between the years 1488 and 1496 the south side of the palace seems to have been erected; and operations at the palace went on into the succeeding century. There was a garden at the palace and extensive grounds.

The erection of the quaint building in the Castle of Stirling known as the palace, seems to have been commenced in 1496; and about the same time a large kitchen garden was formed, perhaps in the valley on the south side of the castle rock. The garden was well stocked with trees. It appears that the south front of Falkland palace as it now stands, was built in the early years of the sixteenth century. There were extensive grounds around Falkland Castle in which deer were kept, and there was also a garden.<sup>66</sup>

A considerable number of churches were built in the latter part of the fourteenth century and in the following one. David II. built and endowed the church of St. Monance in Fife. Most of the churches erected in Scotland during this period were of the decorated flamboyant style, and the polygonal apse was introduced from France. This class of churches generally ran into the three-sided apse, and double doorways with flattened heads which enclosed a pointed arch; battlements were rare, and the corby-stepped gable and saddle-backed towers began to appear before the close of the period. Portions of these decorated churches still remain in Scotland, and specimens may be seen in the nave of the Cathedral of Glasgow, the churches of Linlithgow, Perth, Stirling, and others. In some of these churches the details were admirably worked out, and the tracery of the windows very fine. The most striking characteristic of this style was its surface ornamentation, which was well calculated to arrest the eye of an onlooker. The walls were covered with a profuse variety of embellished devices, the stained glass glowed with variegated figures, and the screens, founts, and altars, were all wonderfully posited for producing effect. The whole accessories presented much artistic skill, a mastery of design, details, and execution of a high order.

Very few specimens of the woodwork of the churches of this period now exist, but some examples of the woodwork of the sixteenth century have been preserved.

The flamboyant style, which was partly initiated in Scotland, was

<sup>66</sup> *Exchequer Rolls of Scot.; Accounts of the Lord High Treasurer*, Vol. I., Pref., pp. 263-267.

excessive in its ornamentation. "Its essence seems to be elaborate and minute ornament, and this continues till the forms and combinations are sadly debased, and a strange mixture of Italianism jumbles with it. Its combinations in the earlier part of the style, for richness, elaborate ornament, and magnificent design, are admirable; and no one can visit Rouen, where there are many churches still used, and others now deserted, and contemplate leisurely the beautiful church of St. Maclou, without feeling the beauty of the style, and also the value of that fine stone which seems to have encouraged the flamboyant architects to vie with each other in elaborate decoration. The portals of Abbeville, Beauvais, Evreux, and St. Maclou at Rouen, parts of Caudebec Church, and various others, are some of the finest specimens of this style."<sup>67</sup>

Many notices of the workmen engaged in the building of these churches occur in the records, and some of them were a long time in process of building. The Cathedral of Aberdeen was more than a hundred years in building, and the choir of St. Nicholas more than half a century; while many of the fines imposed by the bailies in the burgh court, were ordered to be applied to the building of the same cathedral.

The Church still possessed extensive tracts of land which yielded a large income, and considering the other sources of her revenue, such as tithes, offerings, and the sums of money accruing from the Church courts in the form of fees and fines; and recalling the fact that the clergy were the best educated party in the kingdom, it seems that they could not have failed to command power and influence in the nation. The occasional efforts made by the Crown to limit the power of the Church only showed its own weakness, and the Scottish Kings usually found it more in harmony with their own interest to recognise and support the claims and privileges of the Church. The attempts of the Crown to recover the patronage of benefices failed, for at the Reformation, out of nine hundred and forty benefices, six hundred and seventy-eight were under the control of the Church.<sup>68</sup>

Originally the monasteries tended to advance the progress of the country, as the monks for a long time took the lead in agricultural improvement and in dairy produce; but the principles on which the

<sup>67</sup> Rickman; *The Ancient Church of Scotland*, by Walcott.

<sup>68</sup> *Acts Parl. Scot.*, Vol. II., pp. 83, 85, 99, 133, 141, 166, 173, 183, 209, 232, 237.



monasteries were established only harmonised with a comparative rude stage of civilisation, and in the fifteenth century they showed signs of decay. The chief religious houses in Scotland were very rich, and they had for a long period absorbed the greater part of the revenue of the parish churches. The result was that the religious instruction of the people was neglected, while the abbots and monks were rolling in wealth.

Instead of dealing with a number of religious houses and entering into needless details, I will present a brief account of a typical monastery. Such monasteries as Melrose, Kelso, Holyrood, Paisley, Arbroath, Scone, and others, had each a greater or less number of parish churches attached to them ; and taking the monastery of Arbroath, which was richly endowed, the working of the system can be realised. This religious house had lands in various districts, besides upwards of thirty parish churches. In the Highlands it had the church of Inverness, the churches of Banff and Aberchirder in Banffshire, the church of Fyvie in Buchan, Aberdeenshire, and churches in other places widely apart and far from Arbroath. It was then the duty of the Abbot of Arbroath to pay the vicars or pastors of these parishes, as they were impropriated to the monastery ; thus the proceeds of such benefices were paid to the monastery, and the abbot might pay the vicars or not as he thought fit. The practical operation and the results of such a system can be easily realised.

The lands of the monastery of Arbroath and the benefices attached to it, brought in a large quantity of grain, and great numbers of cattle, sheep, swine, poultry, and fish, and other provisions of all kinds. In 1489 the annual consumption of this monastery stood thus :—30 chalders of wheat, 40 chalders or 640 bolls of oatmeal, and 82 chalders of malt ; 800 fat sheep, 180 head of fat cattle, a number of lambs, a quantity of veal, and 24 swine ; a large number of chickens and geese, and immense quantities of butter, cheese, and eggs ; 12,000 dried haddocks and speldings, 1,500 kellings, and about the same number of fresh fish, besides 9 barrels of salmon ; 6 gallons of honey, a quantity of fruit, almonds, and raisins, and a large supply of wine and ale.<sup>69</sup> This monastery was a very large establishment, as its massive ruins still attest ; yet it is somewhat difficult to understand how the monks and inmates of the monastery could have consumed such an enormous

<sup>69</sup> *Register of the Monastery of Arbroath*, Vol. I., pp. 3, 8, 31, 37, 41, 93, 212, 262-263.

amount of food and drink, even after making an ample allowance for the visits of the King and the lords of the realm, the archbishops, and others, who occasionally sojourned at the establishment. It seems probable that there was a considerable waste of the gifts of nature and of industry in such establishments towards the close of the fifteenth century. Several of the other monasteries were as rich as that of Arbroath, perhaps one or two might have been even richer, so that at the period under consideration it was a fair specimen of the great monasteries of the kingdom.

Nunneries were not numerous in Scotland, and were classed according to their rule, like the monks. At Coldstream there was a convent of Cistercian nuns, and a register of their house has been preserved. There was another convent of the same order at Haddington, which received forty shillings annually from the rents of the burgh. There was a nunnery in the vicinity of Perth, one in Aberdeen, and a few in other places.

The friars were a distinct class, and differed from the endowed monks and regular canons. They were a somewhat later offspring of the Church of Rome, having come to Scotland in the thirteenth century. The friars professed the rule of poverty, and practised begging; according to law they could not hold property, except their church and place of residence, which might include gardens. Unlike the monks, the friars usually settled in towns amid the busy haunts of men; they had no vows of seclusion, and some of them were very active men, and attained distinction as popular preachers.

The Dominicans were called "black friars" in Scotland from their dress; and in other countries this order was entrusted with the inquiries connected with the Inquisition, but it does not appear that they exercised this function much in Scotland. They had a large house in Edinburgh, which was frequently used for the assemblies of the National Church. Their establishment at Glasgow was very extensive; and there they had fine gardens and a cemetery. They had churches in Perth, Aberdeen, and in other places. The Franciscans, or the grey friars, professed to follow the strict rule of their order, which enjoined chastity, poverty, obedience, and simple food. They had churches in Glasgow, Lanark, Haddington, Ayr, Dundee, Perth, Elgin, and elsewhere. Their establishment at Lanark was a large one; and in 1496 a meeting of all the Franciscan brethren in Scotland was held in it. The Carmelites were called white friars from their habit. They were very strict in their rule of life, and had

churches in Dundee, Irvine, Linlithgow, Aberdeen, Banff, and other places.

Hospitals were pretty numerous, amounting to upwards of eighty, but they were poorly endowed. They were intended for various purposes, such as infirmaries for the sick and the aged, as hostels for pilgrims and travellers, or homes for those afflicted with leprosy. They were placed at the gates and in the vicinity of towns, at the river-side beside the ferry-boat, and in the mountain passes. The foundation of an hospital usually maintained a few brethren, who devoted themselves to the care of the sick and the poor; and sometimes small grants of money from the public revenue were given to them. Amid all the rudeness of the times the poor and the infirm were not altogether neglected; but many abuses prevailed in the hospitals, and Acts of Parliament were passed for visiting and reforming them.<sup>70</sup>

It is quite evident that the body of the people were firmly attached to the prevailing religious creed. They manifested their religious feelings in many ways. As already indicated, the craftsmen were closely associated with their special chapels, altars, and saints, and contributed a part of their means to uphold and adorn their favourite chapels and altars. Thus the special and personal form of their worship greatly intensified their religious feelings, and it became engrained into the very tissues of the nation's life, and though time might change its form, its spirit and force endured.

A few examples of the avowed motives which induced men to assign property to the Church, may be presented. In 1321 Robert I. granted the church of Kirkmacho to the monastery of Arbroath—"For the health of his soul, and the souls of his ancestors and successors, Kings of Scotland, and especially for the souls of those whose bodies rest within the church and its cemetery." In 1327 David Lindsay, Lord of Crawford, granted to the monks of Newbottle a tract of land in the territory of Crawford—"For the weal of his soul and the soul of Mary his wife; and with all the escheats which belonged to the land and the men dwelling on it: and transferred to the monks the right of pit and gallows, sock and sak, tol and them, infangtheft, and all the rights and the privileges which belonged to

<sup>70</sup> *Exchequer Rolls of Scot.*; *Orig. Paroch. Scot.*, Vol. I., pp. 6, 463, 464, 120; *Burgh Records of Peebles*, pp. 146, 151, 170; *Acts Parl. Scot.*, Vol. II., pp. 7, 16, 49, 86, 97; Wallcott's *Ancient Church of Scotland*, pp. 339-342, 376-383, 343-348.

a baron's court." About the year 1358 Roger of Auldtion, a gentleman on the Borders, granted property and lands to found a chantry in the church of St. James at Roxburgh. His testament runs thus: "This is the form in which Roger of Auldtion founded the chantry of his chaplain officiating at Roxburgh in the church of Saint James; and this also is the form in which he ordained all alms and pious deeds which he has done, or in future may do:—First, namely, for the love of God, and the Blessed Virgin Mary, the mother of the same, and of all the saints; and also for the weal of his own soul and of the souls of Margaret and Felix, his successive wives, and for the souls of all to whom he is beholden and indebted, and for the souls of all against whom he has offended, and whose goods he has unjustly had or possessed, and for the souls of all the faithful departed, that the Lord may pardon them and bring them to eternal life. Amen."<sup>71</sup>

The will of Sir James Douglas of Dalkeith, executed about 1390, contains some very curious items. "He gave the half of all his free goods for his funeral, and for masses and alms for the weal of his soul; and also his best horse and his arms as a funeral offering to the Vicar of Lasswade. . . . He bequeathed a chalice and missal to the chapel of St. Nicholas of Dalkeith, a small sum of money for the support of the fabric of St. Andrew, and a jewel of St. John, worth forty marks, to the church of Newbottle. He gave for the building of the church of Newbottle and the wages of the masons twenty-three pounds, six shillings for the use of the refectory, and other sums to the monks to pray for his soul. He left twenty pounds to the monks of Kelso . . . and legacies to the friar preachers of Edinburgh and Haddington. . . . His robes of cloth of gold and silk and his furred robes were to be given to the church of St. Duthac at Tain, the chapel of Dalkeith, and to other churchmen. . . . He left his third best horse to the Monastery of Newbottle, and vestments to each of the churches of Lasswade, Newlands, and St. Fillans' of Aberdeen." Sir James lived many years after he had made this testament.

In 1349 Adam Urquhart of Inchrory, sheriff of Cromarty, granted five marks annually from the rents of the lands of Inchrory, and a croft called the Alehouse in the same territory, for a perpetual chap-

<sup>71</sup> *Register of Arbroath*, Vol. I., pp. 212-213; *Orig. Paroch. Scot.*, Vol. I., p. 168; *Register of Kelso*, pp. 397, 370-375.



lain officiating in the chapel of St. Mary at Inchrory—"to pray for the souls of William Earl of Ross and his parents, and for his own soul and the souls of his parents, and all the faithful departed." Adam reserved to his heirs the right of patronage, and of giving instructions to the chaplain. In 1456 Alexander Sutherland of Dumbath bequeathed six marks annually from the rents of the lands of Easter to a priest to celebrate mass continually for his own soul and the soul of his wife in the chantry of Ross; and of thirty trentals for his soul, he ordered eight to be said at Ross, four in Tain, four in Fearn, and four in Dornoch. He also left six marks to the chanter of Fearn for celebrating mass, with a note of the requiem, and other sums for religious purposes. In 1451 Robert Sutherland, the son and heir of John Sutherland of Fors, granted to the chaplain of St. Andrew's Chapel of Golspie forty shillings annually from the rents of the town of Drommoy—"to pray for me and the souls of my forefathers and successors."<sup>72</sup>

In 1487 James III.—"for the weal of his own soul and the souls of his ancestors and successors, Kings of Scotland, and all who had contributed to the foundation, erected the church of St. Duthac of Tain into a collegiate church for a provost, five canons, two deacons, a sacrist, and three singing boys." James II. had founded a chaplainry at Tain, and endowed it from the lands of Dunscathe and the ferry of Cromarty; and in the reign of James IV. a sum of five pounds a year was paid to Sir Donald Rede, chaplain, appointed to sing for the soul of James III. in St. Duthac Church. James IV. also paid for masses for his own soul in St. Duthac's Church.<sup>73</sup>

All classes of the people gave liberally to the Church, some for one purpose and others for different purposes. In 1363 William Soreys, a burgess of Elgin, granted property to the altar of the Blessed Virgin Mary in the cathedral of Elgin—"for the safety of his own soul and the souls of his ancestors and successors, and all the faithful departed." The same year William Pope, also a burgess of Elgin, granted the rents of several crofts and portions of land in the vicinity of the city to the Church, under the condition of praying for his own soul and the souls of his kindred, and all the faithful deceased. In 1365 Richard, son of John, burgess of Elgin, bequeathed one hundred

<sup>72</sup> Bannatyne's *Miscellany*, Vol. II.; *Orig. Paroch. Scot.*, Vol. II., pp. 239, 416, 436, 607, 843, 650.

<sup>73</sup> *Exchequer Rolls of Scot.*; *Reg. Mag. Sig.*, lib. X., n. 109; *Accounts of the Lord High Treasurer*, Vol. 1.

shillings sterling from the rents of Bortharum to the altar of the Blessed Virgin Mary in the cathedral of Elgin—"for a perpetual celebration of mass for his own soul and the soul of Eliza, his wife, and the souls of John and Emma, his father and mother, and the souls of all the faithful departed." In 1495 George Spalding, a burghess of Dundee, "of his own good mind, and in honour and love of God Almighty, and his mother the blessed Virgin Mary, and all the saints of Heaven," bequeathed through the provost, bailies, council, and the community of the burgh, a number of articles for adorning the Lady Church of Dundee. Among other articles there were a great bell, a silver chalice gilded over, a new mass book, a new ward stall for the vestments of the high altar, and twenty shillings of annual rent. Very minute and curious conditions were framed for carrying into effect the intention of the donor. It was enjoined that the provost, the council, and the community of the burgh, and their successors, should for ever cause the priest officiating at the altar of the Lady Church to exhort all the people present to pray for the soul of George Spalding, and the soul of his wife, and the souls of their ancestors and successors. Further, there were directions to go to his grave and his wife's and then "say psalms and cast holy water on them." The documentary deed itself was written in the vernacular, of which the following is a sample: "For the said George hys sowll, hys wyf, and yar antecessowris and successowris."<sup>74</sup>

The preceding examples were drawn from a class of documents which are very numerous in the religious records of Scotland, and they cover a period of nearly two centuries. It should be observed that the historic value of these indications of the religion of the people consists partly in its relation to the worship of ancestors, which prevailed in prehistoric times. The most characteristic thought and sentiment in these writings was "the souls of their ancestors, and the souls of all the faithful departed." It thus appears that the worship of ancestors, though associated with other elements, still survived in Scotland.

Another important phase of the religious feeling of the people manifested itself in the pilgrimages. Pilgrims sometimes travelled in companies to places that were esteemed holy, and during the journey they were under the special protection of the King's peace. In the

<sup>74</sup> *Register of the Diocese of Moray*, pp. 312-314; *Register of the Diocese of Brechin*, Vol. II., pp. 316-317.

fifteenth century Whithern, the shrine of St. Ninian, Tain, Dunfermline, Scone, Paisley, and Melrose, were among the chief places of pilgrimage in Scotland. In 1473 the Queen, accompanied by her husband James III. and a suitable retinue, made a pilgrimage to the shrine of St. Ninian at Whithern; and on this occasion ten pounds and ten shillings were paid for livery gowns to six ladies of the Queen's chamber, which were made of grey cloth bought from David Gill at ten shillings per yard; and the Queen's riding gown for the pilgrimage was made of black cloth, and cost six pounds and six shillings. James IV. had a habit of going often on pilgrimage to the tombs, the shrines, and altars of the saints throughout the kingdom. He often went to Whithern and usually made offerings varying from ten to eighteen shillings. He also paid considerable sums of money for masses; in 1497 he gave ten pounds to the church of Whithern for ten trentals of masses. During his reign he made offerings at the following sacred spots connected with St. Ninian:—The outer kirk, the rood altar, the high altar, our lady's altar, the reliques, and at the feretrum in the outer kirk, so it appears that the shrine—feretrum—in which the actual remains of the saint were supposed to be kept, was placed in the outer kirk of Whithern; and no doubt it was an object of extreme devotion to the people. James IV. also made offerings at the Lady's Kirk of Kyle, and gave five pounds for five trentals of masses for his own soul; in Glasgow he made offerings, and also paid for masses in our Lady's chapel at the end of the burgh of Dumfries, in the Cross Church of Peebles, in St. James' Chapel of the Craig of Stirling, in the chapel of St. Mary at Perth, and in many other churches James made offerings and paid for masses.

James IV. was born in Tain on the 17th of March 1473, and St. Duthac's Church of Tain was his great favourite place of pilgrimage. He made many pilgrimages to this place, and always made offerings of ten to eighteen shillings to St. Duthac's Church, and he usually gave a gratuity to the man who bore St. Duthac's bell.<sup>75</sup>

On the great saint's days processions were held and the day spent as a holiday. The different classes in the burghs, the provost and bailies, the burgesses, and the craftsmen, turned out and assembled at the appointed place, and each class and craft, with their distinctive

<sup>75</sup> *Accounts of the Lord High Treasurer*, Vol. I.; *Orig. Paroch. Scot.*, Vol. II., p. 453.

emblems displayed, then formed into marching order and paraded the streets, accompanied by music and shouts of joy and mirth. These commemorative displays were performed with all the circumstance and spirit which the nation could command; but it appears that these rejoicings and processions sometimes terminated in a somewhat rough fashion.

The shrines and the wells of the saints were regarded with much devotion, while their relics were objects of extreme veneration, and it was believed that they possessed marvellous virtues. The continuator of Fordun, who wrote in the first half of the fifteenth century, gave an account of a cross which was found when the church of Peebles was founded in the reign of Alexander III.; and he then tells that, "In the place where the cross was found frequent miracles were worked by it, and are still worked, and multitudes of the people flocked thither, and do still devoutly flock, making their oblations and vows to God." The relics of St. Fergus were preserved at Scone, where they performed many famous miracles; and the bones of one of the arms of this saint were preserved in the cathedral of Aberdeen. The relics of St. Fillan were in great repute, especially his crosier, which was believed to possess many rare virtues, the most singular of which was its power of tracing stolen cattle and goods. James IV. had a relic of St. Duthac set in silver, which was preserved for its miraculous power of healing.<sup>76</sup>

The ideas concerning the sacredness of Sunday which subsequently obtained currency, were totally unknown in Scotland in the fifteenth century. Sports and amusements were openly and freely practised and enjoyed, and shooting at the butts on Sunday in every parish of the kingdom was commanded by Act of Parliament.

In closing this account of the social condition of the people during a period of two centuries, the chief subjects touched on may be briefly recapitulated. The chapter commenced with a statement touching the origin, the development, and the peculiarities of parliament, and the functions which it assumed and exercised. After a brief reference to the law courts of the kingdom, subjects connected with the land were taken up. It was stated that from the accession of David I. to the termination of the War of Independence, the greater part of the land of the country had changed owners many times, and that

<sup>76</sup> *Burgh Records of Peebles*, pp. 152, 156; *Acts Parl. Scot.*, Vol. II., p. 97; *Orig. Paroch. Scot.*, Vol. I. p. 229; *Pitcairn's Criminal Trials*, Vol. I.



new families had risen to power ; but it was observed that Robert I. rather increased than limited the feudal privileges of the nobles, and consequently their power soon overshadowed the authority of the Crown, and they became oppressive and anarchial. The state of the occupiers and the tillers of the land was indicated ; and a reference was then made to the extent of the Crown lands in the fifteenth century, and the tenants and occupiers of these lands. The condition of the labourers of the land ; and the causes of the emancipation of the bondmen and serfs were treated. The burghs of the kingdom and the communities inhabiting them were handled at length, and the custom, the revenue, the commerce, and the coinage of the kingdom were noticed. The internal and every day life of the burgh communities were then treated in detail, and many interesting particulars and points were narrated, including the incorporation of the different craftsmen of Edinburgh. A brief notice of the burghs which belonged to the Church was presented. The military characteristics of the people, their armour, weapons, and tactics, and the introduction of cannon, were described. The probable number of the population was indicated ; and the state of the roads, the establishment of inns, the sanitary condition, and the want of medical science, was pointed out. Drinking customs, festivals, and the amusements of the people were handled ; the dress of the people, and of the different ranks of society, sumptuary laws, and ornaments, were described. The price of the staple articles of food during the period was indicated. After careful consideration, I then made a statement touching the condition of the tenants and the labourers on the Crown lands, embracing the period from the return of James I. to the end of the fifteenth century. Having indicated the wages of tradesmen and labourers, the custom of begging, the state of crime, the defects in the administration of justice, and the forms of punishment were handled and explained. Social vice was touched on. The dwellings of the nobles, royal palaces, and the church architecture of the period were briefly treated. Monasteries, nunneries, the different orders of friars, and the hospitals, were handled concisely ; and finally, the religious feeling and sentiments of the people were dealt with, and various forms of their practical manifestation were presented.

## CHAPTER XI.

*Literature of the Nation in the Fourteenth and Fifteenth Centuries.*

THE language of the people of Scotland at the commencement of the fourteenth century was still Celtic over the greater part of the country, although the Saxons or Angles had occupied a portion of the country in the south from the sixth century onward, and had gradually spread along the eastern coasts, and partly commingled with the Celtic inhabitants, retaining, however, under slight variation, their own speech and customs. North of the Tay the dialect of the Angles was limited to a comparatively narrow strip along the east coast. Originally the Lowland Scotch dialect was essentially similar to the Anglo-Saxon speech of Northumbria, and the process of its introduction and development on the north of the Tweed extended over a period of seven centuries. In the fourteenth century this dialect was spoken from the Humber to the Forth, and onward round the eastern seaboard toward the Moray Firth. Hence it has sometimes been a matter of debate amongst literary antiquaries, whether some of the early metrical romances, such as "Sir Tristrem," were written on the south or the north side of the Tweed. For the twelfth and thirteenth centuries no writings have been preserved in this dialect which could with certainty be claimed as the compositions of writers living on the north side of the borders; but a considerable number of words and phrases of the vernacular occur in the early acts of the Scotch parliament, and in the ancient laws and customs of the burghs, which indicate some of the characteristics of the current dialect. As the Lowland people of Scotland were a mixed race, so the Lowland Scotch language shows traces of contact with the Celtic dialects of the country, and a number of Celtic words occur in the common vocabulary of the Lowland Scotch. It was, however, mainly in its ballad literature and poetry that the Lowland Scotch received real Celtic characteristics; much of the charm, pathos, penetrating passion, and chord of melancholy of its poetry, is derived from a Celtic source.

The earliest native songs, ballads, and tales of Britain were Celtic. The Celts had their Finn and Ossian, and many other great heroes, whose imaginary actions, deeds of valour, and feats of bravery, were originated in prehistoric ages, and orally learned and transmitted from generation to generation, with such additional variations as the fine imagination of the Celts might figure in ideal forms to recall the memory of their mighty leaders and departed ancestors. As century after century passed, these heroes in some instances became invested with more than mortal power; and thus the imagination of the poet had ample scope for the creation of ideal attributes and characteristics.

In the early part of the sixteenth century the Dean of Lismore made a collection of Gaelic poetry, and in 1862 a selection from his collection was published under the title of *The Dean of Lismore's Book*. The pieces and fragments thus collected and published, appears to belong to different periods. The fragments of Ossianic poetry which were the common productions of the Celtic race, are the oldest in the collection, while the other pieces mostly belonged to the fourteenth and fifteenth centuries. This Gaelic poetry has a glow and charm which cannot be fully shown in an English translation. Celtic poetry usually presents a fine sense of style, and the characteristics of heightened expression, intense passion, piercing regret, and melancholy. The subjects of most of these old fragments are associated with feats of bravery and strength in battle, or feats and incidents connected with the chase of the deer and the boar, and other wild animals. The following presents a description of one of Ossian's heroes :—

“ His helmet close about the head  
Of this brave and dauntless man ;  
His right arm bore a round black shield,  
The surface of its back engraved ;  
A heavy, large, broad-bladed sword,  
Tightly-bound, hung by his side.  
He comes in attitude of fence,  
As where we stood he swift approached ;  
Two javelins, with victory rich,  
Rest on the shoulder of his shield ;  
For strength, for skill, for bravery,  
Nowhere could his match be found :  
A hero's look—the eye of a king  
Shone in that head of noblest mould,

Ruddy his face, his teeth pearl white ;  
 No stream ran swifter than his steed,  
 Then did his steed bound on the shore,  
 And he in whom we saw no fear,  
 The well-formed warrior, then approached.  
 In rage, sustained by his great strength,  
 The maid he rudely bears away,  
 Though by Finn's shoulder she had stood.  
 The son of Morne then hurled his spear,  
 With wonted force, as he bore off ;  
 No gentle cast was that, in truth,  
 The hero's shield was split in twain.  
 The wrathful Oscar then did shake  
 The red dyed belt from his right arm,  
 And killed the hero's prancing steed,  
 A deed most worthy of great fame ;  
 Then when the steed fell on the plain,  
 He on us turned in fiercest wrath,  
 And battle does, the onset mad,  
 With all our fifty warriors brave.  
 On the same side with me and Finn,  
 The fifty stood in front of him ;  
 Yet though they oft stood firm in fight,  
 His arm did now them force to yield.  
 Two blows, and only two he gave,  
 With vigour to each sep'rate man,  
 When we were stretched upon the earth,  
 Each man of us with whom he fought.

. . . . .  
 Then did the manly Gaul advance,  
 The conquering hero to assail,  
 Whoe'er he was could see them then,  
 The struggle and the fight were fierce.  
 Then did Mac Morne slay with his arm  
 The King of Sorcha's son, most strange ;  
 Sad was the coming of the maid  
 Now that the brave in fight had fallen."<sup>77</sup>

This fragment presents clear description, strong passion, and characteristic individuality. Both English and Scotch poetry and literature were indebted to the mind and the genius of the Celtic race for several of their most charming and attractive features. It has been repeatedly stated by the most competent authorities that without the Celtic genius England would never have produced a Shakespeare.<sup>78</sup>

<sup>77</sup> The Dean of Lismore's Book, pp. 22-24.

<sup>78</sup> Morley, and Matthew Arnold.



Further, it has been recognised and admitted that English poetry received some of its distinctive features of style from a Celtic source. "The Celt's quick feeling for what is noble and distinguished gave his poetry style ; his indomitable personality gave it pride and passion ; his sensibility and nervous exaltation gave it a better gift still, the gift of rendering with wonderful felicity the magical charm of nature. The forest solitude, the bubbling spring, the wild flowers, are everywhere in romance. They have a mysterious life and grace there ; they are nature's own children, and utter her secret in a way which makes them something quite different from the wood, waters, and plants of Greek and Latin poetry. Now, of this delicate magic, Celtic romance is so prominent a mistress, that it seems impossible to believe the power did not come into romance from the Celts. . . Rhyme—the most striking characteristic of our modern poetry as distinguished from that of the ancients, and a main source, to our poetry, of its magic and charm, of what we call the romantic element,—rhyme itself, all the weight of evidence tends to show, comes into our poetry from the Celts."<sup>79</sup> The popular Celtic heroes were known to the early writers of Lowland Scotch, and allusions to them occur in the writings of the fourteenth and fifteenth centuries ; and thus Lowland Scotch literature is not an isolated stream springing from one source, as it derived its form and some of its most characteristic elements from the Celtic mind and genius.

The earliest compositions in the Scotch dialect or northern English assumed the form of ballads or songs in rhyme, and they were common long before it became customary to commit them to writing. The rhymed form had taken such a hold of the national mind that our first three historical writers, Barbour, Wyntoun, and blind Henry, all composed their works in rhyme. The rhymed literature which preceded the long chronicles of Barbour and Wyntoun consisted : 1, of ballads and songs associated with historic incidents ; and 2, short metrical tales, and romances. The subjects of the first class were varied, and embraced battles, personal encounters, feuds, domestic matters, and local incidents. Some of the second class assumed a tragic character, and many of them treated of incredible achievements and adventures ; the marvellous in various forms, such as the realms of fairyland, spirits, ghosts, and other inhabitants of the supernatural regions, were presented in these tales and romances. They mainly

<sup>79</sup> M. Arnold, *The Study of Celtic Literature*, p. 132. 1891.

owe their preservation to tradition, and the greater part of them have been collected from oral recitation during the last two centuries; but portions of early Scotch poetry and a number of ballads were collected in the sixteenth century and preserved in the well-known MSS. of George Bannatyne, and Sir Richard Maitland. In 1507 a small collection of popular poetry was printed at Edinburgh by Walter Chapman; and the *Complaynt of Scotland*, which was published in 1549, gave a list of stories and tales then popular, and a collection of ballads was published about the time of the Reformation.

A collection by James Watson was issued in three parts—1706, 1707, 1710—which contained some pieces of ancient poetry. In 1724 Allan Ramsay's *Evergreen* was published, which consisted mainly of extracts from Bannatyne's MS., with a few early ballads, including one on the battle of Harlaw; and the same year he published the *Tea-Table Miscellany*, which contained seven old ballads. Dr. Percy, Bishop of Dromore, in 1755 gave the result of his researches to the public in his well-known collection, entitled *Reliques of Ancient Poetry*; and seven of the pieces printed by him have been claimed as Scotch productions. In 1769 Herd published a collection of *Ancient and Modern Scottish Songs, Ballads, etc.*, in two volumes, and twenty ballads were printed in it for the first time; a new edition of this collection was recently issued. Pinkerton in 1781 published a volume entitled *Scottish Tragic Ballads*; and *Select Scottish Ballads* in two volumes in 1783; amongst these he inserted twelve pieces of his own composition, and passed them off as old ballads, but afterwards he admitted his offence. Joseph Ritson published several collections of *Old Songs and Ballads*; and in 1794 he issued a valuable collection of *Scottish Songs with Music*. James Johnson, a music-seller in Edinburgh, published a work called the *Scots Musical Museum*, 1787-1803, which extended to six volumes, and in these ten ancient ballads were for the first time printed.

In the year 1802 Sir Walter Scott's first and second volumes of the *Minstrelsy of the Scottish Borders* appeared, and a third volume followed in 1803. This work contained a great number of historic and romantic ballads, many of which had not been before printed; and it also presented in the form of introductions and notes a body of exceedingly valuable, varied, curious, and interesting information, touching the characteristics and the superstitions of the people, and the work formed an invaluable contribution to the ballad literature of Scotland. Robert Jamieson in 1806 published *Popular*

*Ballads and Songs* in two volumes, and this meritorious work added sixteen ballads to Scottish traditional poetry. In 1808 John Finlay issued a collection of *Scottish Historical and Romantic Ballads*. Mr. Kinloch published a collection of *Ancient Scottish Ballads* in 1827, in which a number of traditional pieces were, for the first time, printed. The same year Motherwell's *Ancient and Modern Minstrelsy* appeared, accompanied with a very valuable introduction and explanatory notes, which showed considerable critical power and historic insight. A new edition of this work was published in 1873. Peter Buchan, a faithful collector of traditional ballads, published in 1828 *Ancient Ballads and Songs of the North of Scotland*, hitherto unprinted, in two volumes; there are a few historical ballads in this collection, but not of an early period. Professor Aytoun published a good collection of *Scottish Ballads* in two volumes; and a number of other collections have been issued, which it is unnecessary to particularise. Various versions of many of these traditionary ballads occur; the same story and incidents may be presented in a somewhat different form in one district of the country from that in which it appears in another district, and sometimes different versions of a ballad may be found in the same locality. Some ballads have two or three more verses in one version than in another, though, excepting the additional verses, the versions may be nearly similar.

A traditional character under the names of Thomas of Ercildoune, or Thomas the Rhymer, was supposed to have been a writer of romance among the people on the Borders, and he was for long recognised as a poet and a prophet; but his life and writings seem to be involved in a haze of mist. The date of his birth has not been ascertained, but it appears that he attained the height of his reputation about 1283, and at this time it was reported that he foretold the death of Alexander III. He died before the end of the century. In 1804 Sir Walter Scott published the *Romance of Sir Tristrem*, from a manuscript of the fourteenth century, but it seems extremely doubtful if this be a work of Thomas of Ercildoune. The quaint character of the language of the romance indicates that it was an early production; but there seems to be no ground for assigning it to Scotland more than to the north of England. The style of *Sir Tristrem* is brief and elliptical, and the rhymes much complicated.

The ballad containing Thomas the Rhymer's prophecies has been preserved in three early manuscripts, which are all more or less incomplete. The chief points and incidents of the piece may be

presented thus :—On a fine May morning Thomas was reclining at Huntly Bank, near Eildon Hills, when he suddenly espied a lady of exquisite beauty, mounted on a dapple-grey palfrey, and richly apparelled. Thomas thought she was the Virgin Mary, and on finding that she was not the Queen of Heaven, he made love to her, but she declared that to listen to his requests would destroy all her beauty ; but the Rhymer's ardour could not be repressed, and at last she was induced to alight, then at once all her beauty vanished, which threw him into great amazement. She then told him that he must leave the middle earth and go with her for a twelvemonth. Accordingly they descended by a secret passage at Eildon Hill, and for three dreary days Thomas heard nothing but the sougning of the flood. At length they approached a fair herbary, well filled with flowers and fruit, and enlivened by the chirping of a great variety of birds ; and Thomas, almost exhausted with hunger, then stretched his hand to snatch some of the tempting fruit, but she warned him to desist under the pain of being attainted by the fiend and falling into hell. She directed him to lay his head in her lap, and she pointed out to him the way to heaven, and to the palace of her own fairyland ; and Thomas observed that she had recovered her beauty and resumed her rich attire. When they reached the palace it resounded with music and revelry. The scene was exceedingly merry. "The harp and fiddle, the lute, and rebeck, were playing, accompanied with every kind of minstrelsy ; and knights were dancing three and three with lovely ladies, fair and free, all bedecked in rich array." After Thomas had enjoyed this solace much longer than he thought, the queen of the fairies intimated to him that she must conduct him back to the Eildon tree. He was extremely reluctant to leave this fine lady, but she then expressed her fear lest the fiend of hell, who to-morrow was coming to claim his dues, should select him. When they returned to the Eildon tree, he entreated her to grant to him some token of their pleasant intimacy, and in compliance with his request she gave him the tongue that would never lie. She then poured forth a string of rather confused prophecies, in which allusions to the events and personages of the Scottish wars of Edward III. may be discerned.

Barbour and Wyntoun mention Thomas the Rhymer, and Bower noticed his prediction of the death of Alexander III., and Mair said : "To this Thomas our countrymen have ascribed many predictions, and the common people of Britain yield no slight degree of credit to



stories of this kind, which I, for the most part, am accustomed to treat with ridicule." Metrical prophecies ascribed to Thomas the Rhymer were current in the reigns of James V., Queen Mary, and James VI., and they were collected and published in Latin and in English. At the time of the Union of the Crowns Thomas reached the height of his fame. Birrel, touching this point, said—"At this time all the whole commons of Scotland that had read or understood, were daily speaking of and expounding the prophecies of Thomas the Rhymer, and other prophecies which were prophesied in old times." John Colville, in a Latin oration which was published at Paris in 1604, expressed his wonder at the fulfilment of the prophecies of Thomas the Rhymer; the Earl of Stirling alluded to this subject in one of his compositions, and Drummond also mentioned it. With reference to the Rhymer's prophecies Bishop Spottiswoode said:—"Whence or how he had this knowledge can hardly be affirmed, but sure it is that he did divine and answer truly many things to come."<sup>80</sup>

The touching monody on the death of Alexander III., which has been preserved in Wyntoun's *Chronicle*, presents an early specimen of the Scotch dialect. When Edward I., in 1296, approached to attack Berwick, the citizens were reported to have derided him in these rude lines:—

"What wenys Kynge Edward, with his lang shankys,  
To have wonne Berwyk, all our vnthankys;  
Gaas pykes hym."

From this time till the Battle of Bannockburn the heroic struggles of the people afforded ample materials and incidents for historic ballads and rhymes; and many ballads and stories in rhyme associated with the name of Wallace and his deeds, were then composed in rude forms. Wyntoun mentioned one of Wallace's earliest achievements, which still lives embodied in a ballad, and he also added that—"Of his good deeds and manhood, great gests I have heard are made, but not so many I trow as he in his day worked." Barbour indicates that songs relating to the War of Independence were common among the people in his time, but few of these have been preserved; and it seems that the greater part of them were gradually incorporated into the three metrical narratives of Barbour, Wyntoun, and more especially Blind

<sup>80</sup> Barbour's *Bruce*, p. 25, Jamieson's Ed.; Wyntoun, Vol. II., p. 157; *Scotichronicon*, Vol. II., p. 131; Birrel's *Diary*; Irving's *History of Scottish Poetry*, p. 46.

Henry's *Wallace*, for Mair explicitly stated that Henry's *Wallace* was composed from the traditional stories and ballads current among the people. An old English chronicler said that the Scots commemorated the national triumph of Bannockburn in the following strains :—

“ Maydins of Englande, sore may ye morne  
For your lemmans ye have loste at Bannockysborne,  
Wyth heue a low ;  
What wenynt the King of Englande  
So soon to have wonne Scotlande,  
Wyth a rumbylow.”

The narrator said that this song was for long afterwards sung by the maidens and the minstrels of Scotland, to the reproof and disdain of the English, with other songs which he considered it unnecessary to particularise.

A spirited and graphic ballad on the Battle of Otterburn has been preserved. The battle was fought in 1388, and the Scots were led by the Earl of Douglas and the English by Henry Percy, the redoubtable Hotspur. Douglas fell in the heat of the engagement, but the Scots gained the battle :—

“ When Percy with the Douglas met,  
I wot he was fu' fain ;  
They swakkit swords, and they twa swat,  
Till the blude ran down like rain.  
But Percy wi' his gude braid sword,  
That could sae sharply wound,  
Has wounded Douglas on the brew,  
That he fell to the ground.  
And then he called his little foot-page,  
And said—‘ run speedilie  
And fetch my ain dear sister's son,  
Sir Hugh Montgomerie.’  
‘ My nephew gude,’ the Douglas said,  
‘ What recks the death of ane,  
Last night I dreamed a dreary dream,  
And I ken the day's thy ain.  
My wound is deep, I fain would sleep ;  
Take thou the vanguard of the three,  
And bury me by the bracken bush,  
That grows on yonder lily lea.  
O bury me by the bracken bush,  
Beneath the blumin' brier ;  
Let never living mortal ken,  
That a kindly Scot lies here.” <sup>81</sup>

<sup>81</sup> Aytoun's *Scottish Ballads*, Vol. I., p. 17.

The ballad on the Battle of Harlaw was probably written shortly after the event. It is a dry narrative, without ornament of any kind, and extends to 248 lines. But a much shorter traditional ballad on this battle has been preserved, of which several versions were popular in the North; and in the early part of the seventeenth century there was a tune known under the name of the Battle of Harlaw.

The ballad entitled "Sir Patrick Spens" has been supposed to have originated in connection with the marriage of James III. and the Princess of Denmark. It presents some striking description, and some very touching incidents:—

" They hadna sailed a league, a league,  
 A league but barely three,  
 When the lift grew dark, and the wind blew loud,  
 And gurly grew the sea.  
 The ankers brak, and the topmasts lap,  
 It was sic a deadly storm;  
 And the waves came o'er the broken ship,  
 Till a' her sides were torn.

. . . . .  
 And mony was the feather bed  
 That floated on the faem,  
 And mony was the gude lord's son  
 That never mair came hame.  
 The ladies wrang their fingers white,  
 The maidens tore their hair,  
 A' for the sake o' their true loves—  
 For them they'll see na mair.  
 O lang, lang may the ladies sit,  
 Wi' their gowd kaims in their hair,  
 A' waiting for their ain dear lords,  
 For them they'll see na mair.  
 Half ower, half ower to Aberdour,  
 It's fifty fathom deep,  
 And there lies gude Sir Patrick Spens,  
 Wi' the Scots lords at his feet."

A few of the romantic rhymes published in Scott's *Border Minstrelsy* were probably composed in the fifteenth century, such as the fairy ballad of *Tamlane*. The fairies and elves, and other airy and subterraneous beings, were the surviving members of a numerous progeny descended from the far-gone past, and they still continued to hold a place in the popular imagination. Stories and rhymes relating to these imaginary beings were quite common among the Scots. The fairies of Scotland were

a diminutive race, with a mixed and rather dubious character. They were extremely capricious in disposition, and mischievous in their resentment. They inhabited the interior of green hills, and danced by moonlight on the tops of them. They usually dressed themselves in green, but occasionally they wore heath brown. They were great riders, and sometimes their presence was discovered by the shrill ringing of the bridles of their invisible horses; while they occasionally indulged in the pleasures of the chase. One form of their resentment was to seize and carry off the infants of those who had in any way offended them.

There were romantic tales in the vernacular touching King Arthur and his knights, but these were common throughout Britain, and popular in France, and not in any way peculiar to Scotland. Still such tales had some influence on the productions of Barbour, Wyntoun, and Blind Henry. The ballad tales touching the adventures and the exploits of the popular heroes—Robin Hood, and his fellow, Little John—were well known among the Scots, although they had their origin on the English side of the border.

A long moral fable called Holland's *Howlat*, seems to have been written about the middle of the fifteenth century. It was founded on the old fable of the jackdaw in borrowed plumage, but it is tedious and deficient in energy; the construction of the verse was strained to attain the alliterative form, which was a favourite style of composition with many of the rhymers of the period. The curious poem entitled *Cokelbie's Sow*, belonged to the same period. It is an unpolished rambling production, though some touches of humour occur in it, while it contained an enumeration of the names of songs, tunes, and dances, which were then popular in Scotland.

In the preceding pages I have briefly indicated the original sources, some of the elements, and the conditions and circumstances from which the literature of Scotland was developed; and I will now proceed to deal with the ascertained and definite literature of the nation.

John Barbour, the writer of the metrical story of Robert Bruce's chequered, interesting, and glorious career, was born in 1316, two years after the battle of Bannockburn; but the exact date of his birth has not been discovered, and there is little known touching his early life. He was holding the position of Archdeacon of Aberdeen in 1357, and that year Edward III. granted a safe conduct to him to visit the University of Oxford for the purpose of study, with three



scholars accompanying him. In 1364 Edward III. granted a safe conduct to Barbour with four horsemen in his company, to proceed through England and study at Oxford or elsewhere as he thought fit. In the following year he received permission from Edward to pass through England with six horsemen accompanying him, and to proceed to St. Denis, near Paris, and to other sacred places. In 1368 Edward III. gave him a safe conduct to pass through England accompanied by two servants and two horses, and to proceed to France for the purpose of study.<sup>82</sup>

Barbour was often engaged in the public service. In 1373 he was one of the Auditors of Exchequer, and soon after he was discharging the duties of Clerk of the Audit. He acted as one of the Auditors of Exchequer from 1382 to 1384, and for his public service in the year 1382, he received six pounds, thirteen shillings, and fourpence.<sup>83</sup>

He was then composing the remarkable national work which has handed down his name and fame to posterity. According to his own statement the work was more than half written in 1375. In 1377 he received a gratuity of ten pounds from Robert II. In 1379 he obtained by charter to himself and his assignees an annuity of twenty shillings from the Crown rents of Aberdeen; and in 1388 he received a grant of ten pounds yearly from the customs of Aberdeen under a charter of Robert II., as a reward for his faithful service. Barbour died at an advanced age about the year 1396. He exercised the power of assignation of his annuity of twenty shillings in favour of the cathedral of Aberdeen for the celebration of his anniversary, and the dean and chapter received this sum annually after his death. In the Exchequer Rolls of 1428 and subsequent years, it was expressly stated that this annuity had been granted to Barbour "for the compilation of the book of the deeds of King Robert the Bruce."

Barbour resolved to write his story of Bruce in the language of the people of the Lowlands; his chief aim was to produce a plain and "soothfast story that every man might understand." As indicated above, he had sojourned in England and in France in pursuit of knowledge; and no doubt he could have written his story of Bruce in Latin, if he had thought fit to follow the fashion of the educated class of his time. He was gifted with good natural faculties; his imaginative and reproductive powers were considerable, and he showed prac-

<sup>82</sup> *Rotuli Scot.*, Vol. I., pp. 808, 886, 897, 926.

<sup>83</sup> *Exchequer Rolls of Scot.*, Vols. II. and III.

tical insight and good judgment; his feelings and sentiments were keen and warm, and his opinions were very liberal for the age. His general fairness and moderation was characteristic, though in a few instances his love of freedom and his patriotism caused him to use harsh expressions. His severe imprecation on the person who betrayed the brave Sir Christopher Seton, "In hell condemned mot he be;" but then it should be observed that Sir Christopher was one of those who formed the forlorn hope of Scotland under Bruce. Barbour detested Edward I. and Edward II., and a few other historic characters, on the ground of their extreme cruelty.

The literary merits of Barbour's work, taking everything into account, were great. His language and style were, for the period, remarkably good. His style possessed the qualities of clearness, brevity, terseness, and point; his descriptions of scenes and positions, and delineations of historic characters, were generally vivid and interesting; while, in short, his poem was pervaded by a dignified simplicity and a directness of aim admirably calculated to attract and to sustain attention; its historical value has been long recognised by Scottish historians.

The work in its original form extended to one hundred and fifty chapters, which was the arrangement followed in Cosmo Innes' edition; but Pinkerton and Jamieson in their editions divided the work into books. The earliest known edition of Barbour's *Bruce* was printed at Edinburgh in 1571, of which only one copy now exists; the next edition was printed at Edinburgh in 1616, and it is also very scarce; but since then many editions have been issued.

Barbour devoted the first part of the work to the early career of Bruce; and he so far assumed the licence of the poet, as to make Bruce the competitor—the hero who endured so much privation and recovered Scotland—when in fact the competitor was only the grandfather of the real hero. This was, however, merely an introductory device for effect. The varied fortunes of Bruce, his reverses, privations, and many exploits, were all narrated with much spirit and energy; then after the tide turned in favour of Bruce, the progress of the war, the capture and the demolition of castles. A clear account of the preparations for the memorable battle of Bannockburn;—and here Barbour exerted his powers to the utmost, and produced a masterly description. He presented graphic pictures of the mustering of the English army and its march to Stirling; and the magnificent appearance of the great host—divided into ten divisions, with all the accom-

panying pomp and circumstance of war,—mounted knights, and burnished armour, shields, banners and pennons waving and glowing in the sun's beams, “as if all the land was in a glare.” On the other hand, his description of the mustering of the small army of Scots, and Bruce's homely manner of cheering his men, were very effectively contrasted with the glittering splendour of the opposing hosts. After noting a number of striking incidents as a prelude, and the speech which Bruce addressed to his army on the eve of the battle, saying to his men :—

“ We have three great advantages :  
 The first is, that we have the right,  
 And for the right ay God will fight.  
 . . . . .  
 The third is, that we for our lives,  
 And for our children, and for our wives,  
 And for our freedom, and for our land,  
 Are constrained to stand fast in battle.”

The great battle then began, the fierce charge of the English cavalry, the reeling of horses, and the mighty hosts of England broken by the wall of Scottish spears ; the crash of lances and the blows with axes which cleft both helmets and heads, the thumps of the steel weapons hewing the mail armour of the enemy ; and the intense eagerness of the Scots in the midst of the fight, the confusion and the slaughter of the English, the grass red with blood, and the final panic and flight of the enemy, were all described with graphic power and effect.

The remaining part of the work continued the narrative to the close of Bruce's reign, and presented characteristic sketches of Bruce's companions in arms—Douglas, Randolph, Edward Bruce, and others. Barbour also wrote another poem, which gave a genealogical history of the Kings of Scotland, and was entitled “The Brute,” but it is now lost.

The deeds and achievements of Bruce have been celebrated by several other Scottish poets, one of which preceded Barbour. A monk of Melrose, named Peter Finton, was said to have produced a work on Bruce, but not a fragment of it is known to be extant. Patrick Gordon composed in heroic verse “The Famous History of the Renowned and Valiant Prince, Robert the Bruce, King of Scotland.” The first book only was printed at Dort in 1615, and reprinted at Edinburgh in 1718, and at Glasgow in 1753 ; this poem came no fur-

ther down than the Battle of Bannockburn. Dr. Jamieson mentioned a work in manuscript on Robert Bruce, King of Scotland, written about the end of the reign of James VI., which was in the archives of the Society of Antiquaries. A poem by John Harvey entitled "The Life of Robert Bruce, King of Scots," was published at Edinburgh in 1727.

Barbour's *Bruce*, after a comparatively short interval, was followed by Wyntoun's *Metrical Chronicle*. Andrew Wyntoun, the Prior of St. Serf's Monastery, wrote his *Original Chronicle of Scotland* in the language of the people, but still in the metrical form. Nothing has been ascertained touching the date of his birth and early life, but he was Prior of St. Serf's Monastery in 1395, and lived at least till 1420. Thus it appears that Wyntoun was a contemporary of Barbour, and he several times mentioned and applauded the Archdeacon. Wyntoun complained of the scarcity of written materials, though perhaps he had access to some historic documents now lost. He stated that he had part of the *Chronicle* compiled by Peter Comestor, the *Chronicles* of Orasius and Friar Martin, and English and Scottish stories; the latter would include the ballads then current among the Scots. He inserted about three hundred lines in his own *Chronicle* from Barbour's *Bruce*, and transferred thirty-six chapters from a person not named and adopted them in his own *Chronicle*. He mentioned the names of a number of ancient classic writers, and some of the fathers of the Church.

Although Wyntoun called his work *The Original Chronicle of Scotland*, he commenced it with a general history of the world. He treated at length of angels, creation, the death of Abel, the generations of Cain and Seth, the primeval race of giants, the ark of Noah and the Flood; the situation of Asia, Africa, Egypt, Europe, Britain, Ireland, and various other countries; the confusion of tongues, the lives of the patriarchs, the judges of Israel, the siege of Troy, the origin of poetry, and the arrival of Brutus in Britain. Five of the nine books into which his work was divided, were mostly occupied with the heterogeneous topics indicated above, in the sixth book he treated of the wars between the Picts and the Scots, and gradually limited his narrative to Scotland.

The language of Wyntoun's *Chronicle* is nearly similar to that of Barbour's *Bruce*, except that the orthography of a number of words exhibit variations, but they both followed the same form of versification. In genius and vigour Wyntoun stood much below Barbour,



while he was more under the influence of superstitious feeling, the original *Chronicle* presenting many fabulous legends and stories, which convey a curious impression of his credulity. Wyntoun was a zealous churchman, and embraced every opportunity to magnify the power of the clergy. Still the latter portion of his work possesses considerable historic value, and contains useful information. A number of manuscripts of his *Chronicle* have been preserved, and it seems to have been popular in the Middle Ages. The part of this book relating to Scotland was edited by David Macpherson and published in 1795; and recently a new edition containing the entire work has been issued in the series entitled *The Historians of Scotland*.

James I. was not only an able ruler and a wise legislator, but, besides other accomplishments, he also attained distinction as a poet. When a prisoner in England, he had many opportunities of cultivating his mind, which he seems to have assiduously embraced. His genius and energy would have enabled him to attain distinction in any walk of life. It has been reported that he was an adept in all the manly exercises of his time; that he was well acquainted with the use of the bow and the spear; that he handled the sword with all the ease and dexterity of a master; that he was an excellent horseman, a great pedestrian, and a fleet runner. He was a consummate musician, and excelled both in vocal and in instrumental music; he was especially distinguished as a performer on the harp, and touched its strings like another Orpheus. He has been extolled for his proficiency in polite literature, in philosophy, and in jurisprudence.<sup>84</sup> His habitual energy did not permit a single hour of his life to be wasted in listlessness, he was always occupied with his varied business and recreations. It is mainly by such mental activity, combined with a power of continuous attention, that eminence in anything of importance has been attained.

James's chief work was a poem entitled the *King's Quair*, which he composed when a prisoner in England; and its subject was the praise of the lady who subsequently became his wife. It was divided into six cantos, and extended to one hundred and ninety-seven stanzas. The poem showed a keen imagination, much feeling, and some touches of genuine poetry; and it also manifested a comprehensive and discriminative appreciation of the beauties of external nature, which in-

<sup>84</sup> *Scotichronicon*, Vol. II., pp. 504, 505; Buchanan's *Hist. of Scot.*, B. X. Ch. 57.

licated that the author's capacity for the enjoyment of life was very great. As a specimen of his style, a few verses slightly modernised may be quoted :—

“ Then, as it hapt, mine eyes I cast below,  
And there I spied, beneath my prison tower,  
Telling her beads, in walking to and fro,  
The fairest and the freshest youthful flower  
That ever I beheld before that hour :  
Entranced I gazed, and with the start  
Rushed instant all my blood into my heart.

Awhile I stood, abased and speechless quite,  
Nor wonder was ; for why?—my senses all  
Were o'ercome with pleasure and delight,  
Only with letting thus my eyes to fall,  
That instantly my heart became her thrall  
For ever of free will : for nought was seen  
But gentleness in her soft looks serene.

In her beauty, youth, and bounty dwell,  
A virgin port, and features feminine,  
Far better than my feeble pen can tell,  
Did meek-eyed wisdom in her gestures shine,  
She seemed, persay, a thing almost divine—  
In word, in deed, in shape, in countenance,  
That nature could no more her child advance.”

James concluded his poem by recommending it to his masters, Gower and Chaucer.

The humourous poem entitled *Christ's Kirk on the Green*, has sometimes been attributed to James I., but it seems to belong to a later period. This piece extended to twenty-three stanzas, and is characteristically comic and humourous, and brimful of rustic pleasantry. The subject of the poem was a rural gathering, which was common, where the assembled multitude danced, and engaged in sports and revels. After the dancing and other comic incidents of the scene, the bow was introduced and the poet then ridicules the awkwardness of the men in handling it, and describes their attempts thus :—

“ With that a friend of his cry'd fy !  
And up an arrow drew,  
He forgit it so furiously  
The bow in flinders flew.  
So was the will of God, trew I,  
For had the tree been trew,

Men said that kend his archery,  
That he had slane anew  
That day.

An eager man that stude him neist  
Lous'd aff a schott with ire,  
He ettilt the barn in at the breast,  
The bolt flew o'er the bire.  
Ane cry'd fy ! he had slane a priest  
A mile beyond a mire ;  
Then bow and bag fra him he keist  
And fled as fers as fire  
Of flint.

Then Lawrie as ane lyon lap  
And soon an arrow feathered,  
He aimed to pierce him at the pap,  
Thereon to win a wager ;  
He hit him on the wame a wap,  
It buft like onie bladder,  
But sa his fortune was and hap  
His doublet was of leather,  
And saved him."

Another burlesque poem of unascertained authorship, entitled *Peblis to the Play*, has been supposed to be a description of the annual gatherings held at Peebles in the month of May. It opens with a description of the people flocking from all quarters of the country to hold their holiday.

Henry the Minstrel, familiarly called "Blind Harry," was a remarkable character, and composed the well known metrical *Life of Sir William Wallace*. The few particulars of the life of Blind Henry himself may be shortly told. John Mair, who wrote in the latter part of the fifteenth century and the early part of the sixteenth, said that Henry was blind from his birth, and in the time of my infancy, he composed an entire book on the deeds of Sir William Wallace, from such stories as were then current touching his deeds of daring. That by the recitation of his stories before men of the highest rank, he earned his food and raiment.<sup>85</sup> Some of those who have carefully studied Henry's long poem, have on reasonable grounds doubted the statement that the minstrel was blind from his birth, as it has been observed that his descriptions of scenery are comparatively vivid, and he makes no allusion to his blindness himself. He called himself

<sup>85</sup> Mair's *Gestio Scotorum*, p. 169, 1740.

a rustic man, but it appears from his book that he had in some way obtained a very good education for the period. It seems that he was able to translate Latin, he used a number of words of French origin, and he knew a little about the ancient history of Greece and Rome, and much more of French romances, and current tales touching King Arthur.

It would appear, from what was stated in a preceding chapter, that beggars and other idle vagabonds who infested the country, had sometimes feigned the role and assumed the character of minstrels, merely to enable them to pursue their unlawful modes of living with greater success and impunity. This explains the meaning of clauses which occur in several Acts of Parliament, for it is evident that the real minstrels were in high repute throughout this period. Robert I. occasionally gave gratuities to the minstrels; and for their services in connection with the marriage of David II., the minstrels received a fee of £66 15s. 4d.; and on the occasion of the coronation of David II. the minstrels present received a sum of £20 from the King, and £10 from the Queen. Robert II. granted his own minstrel, Thomas Aearsane, an annuity of five pounds per annum, and he gave payments to Thomas Fulhope, and other minstrels. In 1392 a payment was made for shields to the minstrels. The gratuities given by James IV. to the minstrels were already mentioned. During this period some of the burghs had minstrels, who were paid from the common fund, for performing public services and appearing in their official character on great occasions. Blind Henry was not altogether forgotten by James IV.; in April, 1490, he received eighteen shillings, in September the same year a similar sum; in April, 1491, eighteen shillings, in September the same year five shillings, and in January, 1492, nine shillings; and as no more entries of his name occur in the accounts, it has been supposed that he died shortly after.<sup>86</sup>

Blind Henry's *Acts and Deeds of Sir William Wallace* was written in rhyme, and divided into eleven books, and extends in length to nearly twelve thousand lines. He professed to draw the materials of his narrative chiefly from a Latin chronicle by John Blair, who was Wallace's chaplain, but not a trace or fragment of Blair's work is now known to exist; he also mentioned Con's chronicle, and in the course of his narrative he frequently speaks of "the book and my author,"

<sup>86</sup> *Exchequer Rolls of Scot.*, Vols. I., II, III., IV.; *Accounts of the Lord High Treasurer*, Vol. I.



but no Con's chronicle has ever been discovered. It appears, however, that there were materials relating to Wallace's deeds before Henry's work appeared, but these, in all probability, were merely ballads and stories orally learned and repeated among the people. The only MS. preserved of Henry's work of authority and historic value is the one in the Advocates' Library, Edinburgh, which is dated 1488, and purports to have been written in that year by John Ramsay. At that time Ramsay was a common surname in Scotland. John Ramsay of Bothwell was one of James III.'s favourites, who escaped execution on account of his youth, being subsequently employed in various offices under the Crown. Thus Henry's book was put into the form, in which it has been preserved, before his own death, and from the sentiment which he expressed at the conclusion of his work it seems that he was pretty well satisfied with his production. What then were the actual sources from which it was drawn?

From a careful consideration of what is known about Blind Henry and his mode of life, and the actual historic facts, in so far as they have been ascertained, touching the national career of Wallace, I arrived at the conclusion many years ago that the work in question was mainly derived from the traditions, the tales, and the rhymed ballads, which had accumulated around the name of Wallace since his execution in 1305, and were current among the people of Scotland in the second half of the fifteenth century. The blind minstrel probably commenced his work between the years 1450 and 1460, or one hundred and fifty years after the death of Wallace. The floating traditions and stories touching the deeds and the heroic achievements of Wallace, the idol of the people, were then ample and varied; all that Henry had to execute was to use these materials, which were naturally and specially suitable for his calling and mode of life, and finally to form them into a rhymed composition around the great national hero. This process of manufacturing would account for all the peculiar characteristics and inconsistencies presented in the blind minstrel's work, while it makes no assumption that the minstrel intended to mislead any one or misrepresent anything. As he simply embodied the ideas, the sentiments, the national prejudice, and the traditional notions of the acts and deeds of Wallace, which the people of Scotland entertained and gloried to hear repeated in his day, it consequently follows that Henry's work was in complete harmony with the feeling and the notions of the Scots touching their greatest

national hero, and they were ready to receive it with exulting delight. As an embodiment of the notions, the feelings, and the traditions of the people concerning Wallace, the work is genuine and invaluable, but considered as a historic narrative of facts and events relating to Wallace or any one else it is worthless. No doubt a strata of distorted facts were introduced into the work, but they were so much mingled with romance, prejudice, hate, and ferocity, as rendered them utterly valueless. For instance, Henry ascribed a degree of cruelty to Wallace himself which was quite inconsistent with all that is known of his character and life.

Touching the literary qualities of Henry's long poem, the style was vivid and full of spirit. His account of adventures and battles was not constructed with much art, but the vigour of his mind and the glow of his patriotism were well fitted to fix the reader's attention, and the author moves on from one adventure to another, and encounter after encounter, with unabated ardour. A few references to the face of nature occur in the work, and some touches which stand in marked contrast to the general series of blows and fights. He concluded his work thus:—"Go noble book, full of good sentences, suppose thou art barren of eloquence; go worthy book, full of true deeds, but in language thou hast great need of help. When there were many good poets in Scotland, it was a great pity that none of them cast their attention on thee, yet there is a part that can many advance; now bide thy time and be a remembrance. I bespeak your benevolence, for the book is said as well as I can."

The book really did prove to be a great remembrance, as it had for three centuries an unexampled popularity among the Scots; it had passed through more editions than any other Scotch book before the period of Burns and Scott. It appears to have been amongst the first books printed in Scotland, for fragments of an edition of it printed by Walter Chapman about the year 1508 were discovered by the late Dr. David Laing. The earliest complete edition still preserved in the British Museum was printed at Edinburgh in 1570, and since then editions have appeared in 1594, 1601, 1611, 1620, 1630, 1648, 1661, 1665, 1673, 1699, 1711, 1713, and a number of more recent ones. An excellent and valuable edition by Dr. Jamieson, the author of the *Scottish Dictionary*, was published in 1820. Dr. James Moir edited for the Scottish Text Society an edition, to which he has contributed an introduction, a long series of expository notes, and a comprehensive glossary.

From the evidence indicated in the above paragraph, it seems manifest that the influence of Blind Henry's *Wallace* on the feeling, the national prejudice, and the patriotism of the Scots, has been considerable. Burns, in a letter to Dr. Moore, said—"The story of Wallace poured a tide of Scottish prejudice into my veins which will boil along there till the flood-gates of life shut in eternal rest." Think then how many Scotsmen may have been similarly affected by the story of Wallace in the three hundred years during which it was the most popular book in Scotland!

Robert Henryson was a contemporary of the blind minstrel, and one of the most eminent and estimable of the early Scotch poets. It has been supposed that he was born about 1425, but little has been ascertained touching his early life. It appears that he received a liberal education, for in 1462 he was admitted a member of the newly founded University of Glasgow as a licentiate in arts and bachelor in degrees. He seems to have acted for some time as schoolmaster of the Grammar School of Dunfermline, and he also acted as a notary public. His writings show that he had an accurate knowledge of the state of society in his time; he was a keen observer, and feelingly alive to the suffering and the injustice which prevailed in the nation. He died at an advanced age about the end of the fifteenth century.

As a poet who wrote in the language of the people, Henryson held a high place. His style was easy and flowing; and, though he did not show great inventive genius or passion, he had a fine perception of the beauties of external nature, and handled the objects around him with remarkable skill, and often presented vivid and touching descriptions. The piece entitled *The Testament of Cresseid*, which extended to over six hundred lines, has been considered his chief work. It was intended to be a supplement to Chaucer's *Troilus and Cresseid*; as Henryson thought the conclusion of that work was unsatisfactory, he composed this piece to finish it off in proper character. The character, Cresseid, proved inconstant and false to her devoted lover, and she was in consequence afflicted at last with leprosy as a punishment, and though touches of pathos occur, the piece presented a rather sad and grotesque narrative, mixed with classic mythology. It first appeared in a printed form in the collected edition of Chaucer's works, which was published at London in 1532, and the earliest known Scotch edition of the piece was printed by Charteris in 1593, of which a copy has been preserved in the British Museum.<sup>87</sup>

<sup>87</sup> Laing's Ed. of Henryson's Poems, pp. 257-258.

A number of Henryson's short poems present very good examples of didactic poetry, such as his "Abbey Walk," "The Praise of Age," "Age and Youth," and others. They are pervaded by a solemn, moral, and religious tone of feeling and thought; and though they lack the highest characteristics of poetry, yet they will compare favourably with the productions of his contemporaries. His poem entitled "Robene and Makyne" is a fine specimen of pastoral poetry, written in a natural and flowing style. He also produced thirteen Moral Fables, which were characterised by a quiet humour, simplicity, and clearness of style. His fables contained many allusions to the state of society, the rapacity of the aristocracy, and the hard treatment of the people. He showed considerable skill in narrating a story, and always endeavoured to produce a moral effect.

Sir John Rowll, a priest, produced a remarkable poem about the close of the fifteenth century, which presented a scathing denunciation of the persons who had stolen his fowls, and committed other serious depredations. This piece extended to two hundred and sixty-two verses, and is a curious specimen of style. The denunciation of the offenders proceeded thus:—"Black be their hour, black be their part, for five fat geese of Sir John Rowll's, with capons, hens, and other fowls. . . . Now cursed and accursed be their fate while they are living on the earth; hunger, strife, and tribulation, and never be without vexation; of vengeance, sorrow, trouble, and care, graceless, thriftless, and threadbare, and at all times in their legacy fire, sword, water, and wodie."<sup>88</sup> There were a number of other writers of rhyme in the fifteenth century, whose names have been preserved.

John of Fordun produced the first long prose *Chronicle and Annals of Scotland*, composed in Latin, in the later half of the fourteenth century. He wrote the first five books, and left some materials which came down to 1383. Walter Bower, Abbot of St. Colm, wrote a continuation to the death of James I., and this compilation has long been known under the title of the *Scotichronicon*; the parts of it relating to the thirteenth, fourteenth, and fifteenth centuries, have been considered to possess historic value, but the earlier portions of it are of less value. Latin language and literature in the Middle Ages had a considerable influence on some of the institutions of Scotland. Latin was used in the service and public worship of the

<sup>88</sup> Laing's *Select Remains of the Ancient Popular Poetry of Scotland*.



Church, and English and Scotch writers enlarged their vernacular vocabulary from the Latin. "Until the end of the fifteenth century it was only in the theological and moral departments that Latin had much direct influence upon English, most of the Latin roots introduced into it up to that time having been borrowed from the French, but as soon as the profane literature of Greece and Rome became known to English scholars through the press a considerable influx of words drawn directly from the classics took place."<sup>89</sup> From the later part of the fifteenth century the Scotch writers drew words very freely from Latin sources. The close political relations, and the long intercourse between France and Scotland had the effect of introducing a number of French words into the Scotch dialect, and in a few instances slightly affected its grammatical form.

The growing importance of the vernacular appeared in various directions. For a long time the Acts of Parliament were recorded in Latin, but toward the end of the fourteenth century they were sometimes written in the Scotch dialect, and after the return of James I. the Acts of Parliament were henceforth recorded and proclaimed in the language of the Lowland people. In the latter half of the fifteenth century the proceedings of the King's Council and of the Judicial Committee of Parliament were recorded in the vernacular, and the early laws of David I., William the Lion, Alexander II., and Robert I., were translated into Scotch in the same century. The ancient code of burgh laws was also rendered into Scotch, and the records of the proceedings of the burghs in the fifteenth century were mostly written in the current vernacular; even some of the records of the religious houses then began to be engrossed in the Scotch dialect. Then, as now, there were two distinct living languages in Scotland—the Gaelic and the Lowland Scotch—and in each of these two languages, respectively, the traditions, the legends, the ballads, the poetry, and the tales of the nation were embodied, and were more or less familiar to the humblest of the people in the kingdom.

<sup>89</sup> Marsh's *Lectures on the English Language*, p. 434.

## CHAPTER XII.

*Education, Music, and Art of the Period.*

IT was indicated in preceding pages that there were schools at an early period attached to the monasteries, and in some of the royal burghs. In the fourteenth century there were different classes of schools; the grammar schools in some of the royal burghs were partly under the patronage of the magistrates, but most of the schools were under the control of the Church. Robert I. sometimes gave assistance to persons carrying on their studies at the schools, and in 1364 David II. gave four pounds for the maintenance and clothing of a poor scholar, "*consanguinei domini regis.*" By a mandate of Robert II. four pounds was given to assist a poor scholar studying at the school of the burgh of Haddington in 1384; and in 1382 five pounds six shillings and eightpence were paid from the Exchequer for the expenses of two scholars of Bute. It appears that the rectors and masters of the schools of the period were frequently employed to discharge duties connected with the customs and the revenue. Master William Tranent, rector of the schools of Haddington, also acted as clerk of the cocket of Haddington and North Berwick; and the master of the school of Cupar sometimes acted as a collector of custom. Gilbert of Hay, son of Thomas of Hay, who was studying at the schools of St. Andrews in 1384, by mandate of Robert II., received twenty-six shillings to assist him, and two years after he received thirty-two shillings for dress; the King's natural son, James, at the same time was studying at the schools of St. Andrews.<sup>90</sup> The grammar schools of Glasgow were founded before the middle of the fifteenth century, and were under the control of the Chancellor of the diocese. Of course Latin was taught in the grammar schools of the chief burghs of the kingdom, and in the schools connected with the monasteries; but whether the scholars were instructed in the current Scotch language at any of these

<sup>90</sup> *Exchequer Rolls of Scot.*, Vols. I., II., III.

schools during this period, has not been clearly ascertained. From the numerous writings and documents of various kinds produced in the vernacular in the fifteenth century, it would seem probable that the Scotch language was taught in some of the schools of the period.

The first Educational Act was passed by Parliament in 1496. This statute enjoined that the barons and freeholders of the kingdom should send their eldest sons and heirs to the schools till they were well instructed in Latin; and thereafter to attend the universities for a term of three years to study arts and law; in order that justice might reign throughout the kingdom, that the sheriffs and other judges acting under the authority of the King might know how to administer equal justice to all the people; so that "the poor people might have no need to apply to the King for every small injury." Those who failed to comply with the provisions of the Act were to be fined twenty pounds to the King.<sup>91</sup>

The first Scotch university was a very simple institution. It was originated by a few men, who had some knowledge of literature and philosophy, and formed an association in St. Andrews under the patronage of Bishop Wardlaw, with the laudable aim of imparting instruction to all those who desired to attend their lectures. They commenced to deliver public lectures in 1410; and the Pope's Bull, which sanctioned the establishment of the University, arrived on the 3rd of February, 1413. The following morning the clergy assembled in the refectory of the monastery, where the Bull was presented to Bishop Wardlaw, as Chancellor of the Institution, and read aloud; and they then proceeded to the high altar singing the *Te Deum*. After this the learned clerks and church dignitaries spent the day in celebrating the event with a festivity and rejoicing worthy of its significance. On the 6th of February a grand procession was held, which at once commemorated the arrival of St. Andrew's bones and the inauguration of the privileges of the new University. The teaching staff consisted of four lecturers on the canon law, and three teachers of philosophy and logic.

Chiefly through the efforts of Bishop Turnbull, the University of Glasgow was founded in 1451 on the model of that of Bologna, under the authority and sanction of the Pope. In 1453 James II. extended his protection to all the members of the University—the rector, the deans of faculties, the procurators of nations, the regents, the masters,

<sup>91</sup> *Acts Parl. Scot.*, Vol. II. p. 238.

and the students ; and also the writers, the stationers, parchment makers, and the sacrists ; and he exempted them from all tribute, service, taxes, watching or warding, and all dues imposed or hereafter to be imposed in the kingdom of Scotland.<sup>92</sup> The University was poorly endowed. In 1459 Lord Hamilton granted to the University a house in the city and four acres of land on the Dovehill. In November 1475, John Laing, Bishop of Glasgow, gave to the University two books for the use of the regents, one of which contained the text of the Physics, and other treatises of Aristotle. Shortly after, Duncan Bunch, a former regent, gave seven volumes to the University, which contained treatises of Aristotle and his commentators, and also "una Biblia in pergamino in parvo volumine litera optima complete scripta." In 1483 John Brown, also formerly a regent, presented to the University thirteen volumes, embracing treatises of a similar character to the preceding volumes ; but none of these early manuscript donations to the University have been preserved.<sup>93</sup> This University had to struggle long with adverse circumstances and lack of funds.

William Elphinston had received all the advantages of education which home and foreign universities could give him, and he made an excellent use of it. He was appointed Bishop of Aberdeen in 1483. He had discharged the duties of Chancellor and Privy Seal of Scotland, and was entrusted with several important embassies. He erected the central tower of his cathedral ; and he built at his own cost a stone bridge across the river Dee. In 1494 at Elphinston's earnest solicitation, James IV. obtained from the Pope a bull for the institution of the University of Aberdeen, and the King conferred on all its members the same privileges as those granted by James II. to the University of Glasgow, and by James I. to St. Andrews. The branches taught in the newly instituted University were civil and canon law, theology, and medicine.

The Scottish Universities were instituted as a branch of the system of Catholic education which had its head and centre in Rome, and they were incorporated members of one great educational scheme which embraced Europe in its folds. Thus they were closely associated with the Universities of the Continent. In fact, the constitution of the Scotch Universities were formed on the models of those of Paris, Bologna, and Louvain.

<sup>92</sup> *Orig. Paroch. Scot.*, Vol. I., p. 9.

<sup>93</sup> *Glasgow University Library*, by Wm. P. Dickson, LL.D.



Some knowledge of Latin was a qualification required from all the entrants to the Universities, but Greek was not taught in Scotland before the sixteenth century. It appears that Arts was the first faculty constituted, which seems to have been the fundamental faculty in the Universities of the Middle Ages. In the latter half of the fifteenth century Scotsmen had become well known as able and ready teachers in the Universities of the Continent. Scotland then sent from her native Universities to those of France and other countries, as teachers of philosophy, Thomas Otterburne, Henry Leighton, Robert Fleming, Thomas Mushet, Umfrid Hume, and James Martin. The license to teach and a ready command of Latin, were the passports of the Scottish scholars through the Universities of Europe.

The early Scottish music seems to have been interwoven with the national songs and dances ; but a people might have many songs and yet have little music. So far as has been ascertained, it appears that the earliest Scotch melodies were very simple, and consisted of one measure ; and these simple tunes no doubt originated at a remote period. But in Scotland, as in other Catholic countries, the ancient vocal music was overlaid by that of the Church. "From the very earliest periods of descant, ecclesiastical musicians had been in the habit of taking the popular melodies of the time and working them into the services of the sanctuary."<sup>94</sup> The Gregorian chant was taught in the Scotch cathedrals and in the early schools ; and organs began to be introduced into the churches of Scotland in the reign of James I.

As already indicated, singing and dancing were popular in Scotland during this period. There were professional singers, both male and female, and harpers, luters, and fiddlers. James IV. often gave small sums of money to singers, fiddlers, harpers, and dancers ; and some notable characters occasionally performed before the King, such as the broken-backed fiddler in St. Andrews, who received nine shillings from the King, and the crooked vicar of Dumfries, who sang to the King at Lochmaben. In 1487 there were three public pipers in Edinburgh, who were supported in the following manner :—"For the honour of the city, the provost and council enacted that the common pipers of the burgh should be fed, and that they should go and get their food in turn from all persons of means ; or if the pipers took wages, then they should live thereon for that day ; and all those who

<sup>94</sup> Hullah's *History of Modern Music*, pp. 33-35, 77, *et seq.*

did not give them food, should pay to them ninepence on their day, that is, to each piper threepence at the least." There were similar officials in the other burghs of the kingdom, and they were sometimes called minstrels ; but their functions were well understood, and consisted in playing favourite pieces of music in their progresses through the town every morning and evening ; and on high occasions they attended the magistrates in their official character.<sup>95</sup>

Although the human voice is the first and the best of all instruments, still the development and improvement of musical art greatly depended on instruments. The performance of a varied piece of music required many instruments, and skill in making these was an essential condition of success. To harmonise the sounds of a number of wind and stringed instruments is an extremely difficult matter ; and the tuning of instruments to play together was long of reaching such a state of perfection as in any degree satisfied the musical perceptions and sensibilities of the human mind. The noblest keyed instrument, the organ, was brought to considerable perfection in the fourteenth century, and by the end of the succeeding century it might be said to have been almost perfected. But the Scots at this period were far behind several other European nations in the art of making musical instruments. Many musical instruments, however, were then in use amongst the Scots ; and in a rhyme written in the fifteenth century, upwards of twenty musical instruments were mentioned ; while the harp, the lute, the pipes, and some kind of a fiddle, were quite common. The principle of the stringed instrument was known from a very early period, but the fiddle or violin has undergone many modifications. In the Middle Ages there were instruments somewhat resembling the violin, but the art of making and perfecting this fine instrument has been the work of comparatively modern times.

Religion, dramatic representations or plays, and dancing, were all associated with music. Dramatic exhibitions founded on mystical passages of the Scriptures, and hence called mysteries, were sometimes performed in the churches as acts of devotion in the Middle Ages. These were succeeded by moral plays, which approached somewhat nearer to the form of the drama, still presenting, however, a curious and grotesque jumble of characters. While at this period it

<sup>95</sup> *Burgh Records of Edinburgh*, Vol. I., p. 52 ; *Accounts of the Lord Treasurer*, Vol. I.

is sometimes difficult to distinguish a dramatic actor from the bands of rope-dancers, buffoons, jesters, fools, singers, and fiddlers, who amused the kings and the nobles, as several of these callings were at times exercised by the same person. James IV. retained two or three fools, and frequent payments to them occur in the accounts.

In the department of painting there is little to record. The names of painters occur in the records during the reigns of David II. and Robert II., but there is no evidence that they were artists. Andrew, called the painter, was engaged in connection with the mint; and John, the painter, of Aberdeen, was employed to paint the armorial banners of David II. James I. had a painter called Matthew, who was engaged at the work in connection with the erection of the Palace of Linlithgow; and a payment for materials to John, the King's painter, also occurs in the records. Payments to painters were made in the reigns of James II. and James III. James IV. gave his painter, David Pratt, an annual fee of ten pounds, besides payment for the work which he executed. In 1497 he was engaged in painting the altar in the new chapel at Stirling. He died in 1503. At the same period John Pratt, the painter, painted and gilded the vanes of the King's tents, and emblazoned the King's coat armour.<sup>96</sup> As indicated above, however, these men were not artists.

In one of the minor arts, seal engraving on metal, some good work was executed in Scotland. The seals of the preceding period were briefly described, and the art of seal-making maintained its excellency in the fourteenth and fifteenth centuries. The Great and the Privy Seals of the Scottish Kings present good specimens of this branch of art. The Privy Seal showed the royal arms only. The Great Seal of Robert I. is a very fine piece of work; and the Privy Seal of David II. is exceedingly beautiful both in design and execution. The Great Seal of Robert II. exhibited a change of costume in the equestrian figure of the King corresponding with the change in the style of armour, and the lettering is finely executed. The goldsmith was paid twenty marks for making the matrix of this seal. Some of the seals of the first Earl of Douglas are very beautiful. On the seal of the Countess of Mar of date 1405, the figure of a lady holding a shield in each hand was represented. Figures of the peacock and the swan were depicted on several of the seals of the period.

About the beginning of the fifteenth century the design of the

<sup>96</sup> *Exchequer Rolls; Accounts of the Lord Treasurer.*

Episcopal seals underwent a change. Instead of the simple figure of the bishop in pontifical vestments, which had formerly been the usual form, either a representation of the Trinity, the Virgin, or the patron saint, within a niche or beneath a canopy, became the prevailing style. The rich architectural designs of a number of the seals present very fine illustrations of that art; and a pretty accurate idea of the characteristics of the church architecture of the period might be formed from an examination of them.<sup>97</sup>

In conclusion, the volume opened with an explanation of the aim and scope of the work. A description of the geographical and physical features of the country, and the influence of climate, soil, and food, on the organisation of early society, were presented. The method of historic interpretation in connection with the early stages of the human race was then touched on; the interpretation and the sequent arrangement of the prehistoric phenomena of Scotland, and the discrimination of historic evidence followed. The ethnological problem came next, and after a brief statement touching the cradle and the language of the Aryans, the ethnology of Scotland was concisely treated. The Stone and the Bronze periods were treated at length, and a summary of the conclusions reached, touching the social condition, the religion, and the culture of the prehistoric people, was presented. The Roman Invasion, new historic conditions, the conflicts of the different races and tribes, which issued in the foundation of the Monarchy, were treated. An account of the introduction of Christianity was given, and its influence on the people pointed out. The narrative of the progressive extension of the kingdom was then resumed and continued to the close of the eleventh century; and it was observed that nothing had occurred to arrest the onward movement and civilisation of the people. The state of society from the seventh century to the end of the eleventh was treated at length, the clan organisation, the relation of the people to the land, and social customs were explained. Early architecture and the sculptured stones were handled at some length, in their historic relation to the people; the chief characteristics of Celtic art were briefly considered, and the Introduction closed with a notice of the fragments of early and traditional literature.

A critical estimate of the Anglo-Norman colonisation, and the result

<sup>97</sup> Laing's *Ancient Scottish Seals*.



of the introduction of Norman Feudalism on the Civilisation of Scotland was presented. The narrative of the conflict of the nation was resumed and continued to the death of the Maid of Norway. A very full account of the social state and the progress of the people in the twelfth and thirteenth centuries was given, and the organisation and characteristics of Norman Feudalism explicated. The lamentable position of the nation arising from the disputed succession to the throne, the claims and proceedings of Edward I., and the candidates for the Crown, was narrated. Edward's invasion of Scotland, the submission of the nobles, the deposition of Baliol, and the nation under the heel of the invader, were explained. The appearance of Wallace upon the scene, the rising led by him, his heroic struggles against the invaders, his capture and cruel execution, and the influence of his example upon the nation, were narrated at length. At last the nation seemed completely subdued, and Edward I. prepared a scheme for the government of Scotland; but a worthy successor of Wallace immediately appeared and mounted the throne of Scotland, and commenced to retake the kingdom from the enemy. Bruce's followers were few in number, and he had to contend against fearful odds; but after a desperate and long struggle his heroic efforts culminated in the decisive and glorious Battle of Bannockburn; and the subsequent acknowledgment of the independence of the kingdom. The narrative of the external and internal conflicts of the nation was continued to the Battle of Flodden. An exhaustive account of the social condition of the nation in the fourteenth and fifteenth centuries was presented, in which many subjects of the highest historic interest and national importance were treated and explained. After giving an account of the literature of the period, the volume concluded with a concise review of education, music, and art. Finally, this volume gives a continuous view of the people from the earliest traces of their occupation of the country onward, and of their condition, culture, and civilisation.



## Date Due

[illegible]

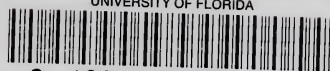
941

M158h

1892-96

v. 1

UNIVERSITY OF FLORIDA



3 1262 04766 4338



